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ABSTRACT

The 1974 faculty handbook from the California State University, Long Beach discusses: (1) history, planning, and budgeting; (2) university organization, covering administrative, faculty, and auxiliary organizations, and university support groups; (3) personnel policies and procedures, including affirmative action, and student evaluation of faculty; (4) academic policies and procedures, including teaching assignments, research, and grading; (5) student relations, covering discipline, and student organizations; and (6) benefits, services, and facilities, including fringe benefits and campus facilities. Appendices cover: (1) reappointment and advancement policy; (2) disciplinary and grievance procedures for academic personnel; and (3) professional standards. (KE)

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Faculty Handbook

California State University, Long Beach

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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Office of the President

Dear Colleague:

The administration has made two changes this year to improve policy dissemination throughout the University. A University Policy File has been established in the Office of the Vice President for Administration and Staff Coordination. This policy file is the repository for all campus policies, including those which are developed in consultation with the faculty and approved by the President, and those of the California State University and Colleges System as well as various State administrative regulations, and legislation which governs University operations. The process of cross-indexing the contents of the file to make these policies readily available is now going forward. When fully approved, local policy is disseminated to all department and administrative offices as a "Policy Statement" color coded on goldenrod paper. System policy of particular interest to specific offices or members of the faculty is duplicated and distributed as appropriate. Other policy statements are integrated into the policy file for use by faculty and staff and the administration. Requests for material not published or any other questions concerning University or System policy should be referred to the Office of the Vice President for Administration and Staff Coordination (Ext. 4125).

A second change is the decision to have the Faculty Handbook issued by the administration. Previous handbooks have contained a mixture of University policy as approved by the President, private statements of previous presidents, and much other material which was not approved and did not have the force of policy. It was not possible in previous editions to know which statements reflected policy and which did not. A large number of items in previous faculty handbooks were policy proposals from the faculty (usually the Academic Senate) which had never received the presidential approval necessary to establish University policy. These items have been carefully reviewed. Many have been approved by the President and are included in this new Faculty Handbook. Others cannot be approved in their present form. These are being returned to the Academic Senate with comments for further review by the Senate for development of policy recommendations. It is anticipated that the Academic Senate will continue to issue documents related to the structure and function of that body and its various councils and committees such as: The Rules and Regulations of the Academic Senate, Structure and Charge re: Standing Committees, Current Membership on Standing Committees, Elections, Membership Roster of the Academic Senate, Officers of Faculty Organizations, etc.

This Faculty Handbook differs from previous editions in other significant ways. The content of the current edition has been carefully edited to present only those matters of wide faculty interest, thus reducing the bulk considerably. It has been indexed to permit ready reference to subjects of specific interest. It is hoped that this approach and the identification of people with specific functions will enable individual faculty members to more readily attain satisfactory answers to specific questions which they might have.

Stephen Horn

Preamble

It is anticipated that this Faculty Handbook, which is in new and simplified format, will not only serve new faculty members as a useful introduction to the operation of California State University, Long Beach, but will also provide to all members of the faculty that information most relevant to the performance of their duties at this institution.

The Handbook is meant to reflect rather than to establish University policy and is accurate as of the date printed on this page. Subsequent amendments, deletions, and additions will be incorporated into what is planned to be an annual revision of this Handbook.

However, all faculty members should be aware that in accordance with established Trustee policy, the Board of Trustees of The California State University and Colleges, in Section 43800 of Title 5 of the California Administrative Code, has reserved the right to add, amend, or repeal any of its regulations, rules, resolutions, standing orders, and rules of procedures, in whole or in part, at such time as it may choose. None shall be construed, operate as, or have the effect of an abridgement or limitation of any rights, powers, or privileges of the Trustees. The Chancellor reserves the right to add, amend or repeal any of his Executive Orders, at such time as he may choose, and the President of California State University, Long Beach, reserves the right to add, amend, or repeal provisions of this Handbook and rules of the University, at such time as he may choose. No Executive Order shall be construed, operate as, or have the effect of an abridgement or limitation of any rights, powers, or privileges of the Chancellor nor shall any Handbook provision or rule of the University be construed, operate as, or have the effect of an abridgement or limitation of any rights, powers, or privileges of the President.

Inasmuch as the Handbook is purposely not designed to include a detailed or verbatim statement of all policies affecting the University, it should be supplemented by reading the current Undergraduate Study Bulletin, Graduate Bulletin, and Schedule of Classes, or by referring to those offices and specific documents mentioned in the Handbook. In addition, the University Policy File is an up-to-date compilation of all policy documents which are of university-wide significance and have been approved by the President or issued by the Chancellor. New statements of approved policy will be distributed by the Office of the Vice President for Administration and Staff Coordination. The University Policy File is maintained in that office, Room 109, Administration Building (Ext. 4125), and copies are available in every School and Department office.

Date: August 30, 1974

California State University, Long Beach

1974-75 Academic Year Calendar

Fall Semester 1974

August 30	Friday	Beginning of Fall Semester — Program advisement
September 2	Monday	Labor Day — holiday
September 3	Tuesday	General Faculty Meetings
September 4	Wednesday	Registration and change of program
September 4	Wednesday	Instruction begins
November 11	Monday	Veteran's Day — all offices closed
November 28-29	Thurs-Fri	Thanksgiving recess
December 14	Saturday	Last day of instruction
December 16-21	Mon-Sat	Final Examinations
December 21	Saturday	Christmas recess begins 5:00 p.m.
January 6	Monday	Final grades due
January 13	Monday	End of Fall semester

Spring Semester 1975

January 20	Monday	Beginning of Spring semester
January 20-24	Mon-Fri	Completion of registration — Refer to Schedule of Classes
January 27	Monday	Instruction begins
February 17	Monday	Washington's Birthday—all offices closed
March 24-28	Mon-Fri	Spring recess
May 17	Saturday	Last day of instruction
May 19-23	Mon-Fri	Final Examinations
May 26	Monday	Memorial Day — all offices closed
May 27-29	Tues-Thurs	Final Examinations
May		Commencements to be announced
June 2	Monday	Final grades due/End of Spring semester

Alphabetical Guide to University Functions

Questions regarding the normal daily operations of the University can be answered most efficiently by Department Chairpersons and/or School Deans. When questions arise for which answers cannot be readily found in existing policies and procedures, it is the responsibility of a Department Chairperson through the School Dean to seek counsel at the University level. It is recognized, however, that there may be instances in which the individual faculty member may wish to refer directly to specific administrative offices of the University. The following list attempts to identify University-level functions and responsible individuals who may be of particular service to the faculty.

FUNCTION	NAME	OFFICE	PHONE
Academic Regulations and Procedures	Leo Goodman-Malamuth Vice President for Academic Affairs	Admin. 103	4128
Administrative Regulations and Procedures	David E. Gray Vice President for Administration and Staff Coordination	Admin. 109	4125
Affirmative Action	Walter Reed Affirmative Action Officer	Admin. 119	5156
Alumni Relations	Dennis Murray Director of University Relations	Admin. Annex 201	4194
Audio Visual Center	Archie Perry Assistant Coordinator for Operations	LA 1-105	4965
	Kelsey Chandler Assistant Coordinator for Production		4962/3
	Joe Lea Assistant Coordinator for Cinema		4962/3
Budget	Lane Koluvek Director of the Budget	Library E-111	4411
Campus facilities, use of			
Fine Arts	Office of the School of Fine Arts	FA 3-100	4364
Instructional facilities	Doug Tally	Library E-114	4178
Physical Education (gymnasium & recreation)	William Bovee	PE 207	4093
University Union	Scheduling Desk	Union	5205

FUNCTION	NAME	OFFICE	PHONE
Career Development Institute (Faculty)		FO 4-273	5207
Career Planning and Placement (Student)	H. Edward Babbush Associate Dean	Library E-103	4151
Classroom Repair	Plant Operations		4871
Community Relations	Don G. Gill Executive Vice President—Foundation	Admin. 106	5195
	Dennis Murray Director of University Relations	Admin. Annex 201	4194
Computer Facilities	Kenneth Tom Director of Automatic Data Processing and Information Systems	FO 1-16	4401
Continuing Education	Mary K. Ludwig Director of Continuing Education	Admin. Annex 133	4315
Counseling	Kenneth Weisbrod Associate Dean	Admin. Annex 203	4001
Curriculum, Planning and Development	Boyd A. Davis Director of Academic Planning	Admin. Annex 135	4832
Duplicating and Printing	Paul Goydos Supervisor, Auxiliary Services	LA 3-102	4971
EOP and Student Development Programs (Tutors, Upward Bound, Bilingual Special Programs)	Alan Nishio Director, Student Development Programs	LA 3-201-203	5292
Emergencies	University Police	Palo Verde Ave.	4101
Financial Aid (Students)	Farrel Beres Director, Financial Aid and Student Employment	Library E-106	4641
Food Service, Banquet Arrangements	Scheduling Supervisor	University Student Union	5205
Foreign Students	Russell Lindquist Director, International Center	International Student Trailer	4106
Fund Raising	Don G. Gill Executive Vice President-Foundation	Admin. 106	5195
Grievance and Appeals (Faculty)	Bruce Carpenter Associate Vice President for Academic Affairs—Academic Personnel	Admin. 115	5157
Handicapped Student Services	David Rogers Coordinator	University Student Union	5361
Health Service	Health Center	State Univ. Dr.	4771
Housing	Frank Bowman Associate Dean and Director of Housing	Admin. Annex 134	4187
Instructional Television Center	Dan Baker Coordinator	FA 1-201	4352

FUNCTION	NAME	OFFICE	PHONE
Insurance (health, etc.)	Elizabeth Johnson Health Benefits Officer	Library E-107	4164
Leaves, with or without pay	Bruce Carpenter Associate Vice President for Academic Affairs—Academic Personnel	Admin. 115	5157
Learning Assistance Center	Frank Christ Coordinator	Library—3rd Floor East	5350
Learning Resources	Robert Rheinish Director	LA 1-105	4962
Mail	Robert Merrill Mail Supervisor	Mail Room Warehouse/ Receiving	4828
Maintenance (repair, moving, etc.)	Plant Operations	Corporation Yard Palo Verde Ave.	4871
Multi-media Center	Richard C. McLaughlin Coordinator	Library E-105 (thru Placement Office)	4025
Payroll	Joanne Chrisman Director of Payroll	Library E-107	4164
Personnel Policies and Procedures (Faculty)	Bruce Carpenter Associate Vice President for Academic Affairs—Academic Personnel	Admin. 115	5157
Personnel Policies and Procedures (Staff)	Betty Long Director of Staff Personnel	Personnel Trailer	4031
Physical Planning and Development	Jon Regnier Director of Physical Planning and Development	Admin. Annex 200	4131
Planning	Robert Tyndall Executive Dean—Planning	Admin. Annex 204	4174
Policy File (approved University documents)	Barbara Lloyd Administrative Assistant to Vice President for Administration and Staff Coordination	Admin. 109	4125
Public Information and Publicity	Robert Breunig Director of Public Information	Admin. Annex 130	4156
	Kathryn West Manager, News Services	Admin. Annex 130	4156
Purchasing	Fred Kruger Director of Purchasing	Trailer, Palo Verde Ave.	4296
Reappointment and Advancement (Faculty)	Bruce Carpenter Associate Vice President for Academic Affairs—Academic Personnel	Admin. 115	5157
Recreation	William Bovee Facilities Coordinator	PE 207	4093
Relations with Service Area Schools (high schools and community colleges)	Andy Heck School Relations Officer	Library E-111	5358
Reprinting Faculty Publications	Roman Kochan Acquisitions Librarian	Library 131	4022

FUNCTION	NAME	OFFICE	PHONE
Research and Grants	Albert H. Yee Dean of Graduate Studies and Research	Library E-112	5314
	Darwin Mayfield Director of Research	Library E-112	5314
Salary Information (Faculty)	Bruce Carpenter Associate Vice President for Academic Affairs—Academic Personnel	Admin. 115	5157
Scheduling, Campus Events	Scheduling Desk	University Union	5205
Scheduling, Class Rooms	Doug Tally Scheduling Coordinator	Library E-114	4178
Staff Personnel	Betty Long Director of Staff Personnel	Personnel Trailer	4031
Student Affairs	John W. Shainline Executive—Student Affairs: Dean of Students	Admin. Annex 132	4181
Judicial Affairs (student regulations) **Student Activities** **University Student Union**	Stuart Farber Associate Dean of Student Affairs	Admin. Annex 132	4181
Student Evaluation of Faculty	Bruce Carpenter Associate Vice President for Academic Affairs—Academic Personnel	Admin. 115	5157
Summer Sessions	Roderick Peck Dean, Summer Sessions and Continuing Education	Admin. Annex 133	4184
Testing	William Abbott Test Officer	Admin. Annex 206	4006
Textbooks	Lyle Bartlett Associate Director, Bookstore and Textbook Coordinator	Textbook Dept. Bookstore	5093
University data/statistics	Robert T. Littrell Director, Institutional Studies	Admin. Annex 204	4191

Glossary of Frequently Used Terms and Abbreviations

Academic Administrators Conference (AAC): A meeting of members of the Executive Office of the President, School Deans, Department Chairpersons, and other academic administrators dealing with topics of administrative importance and interest.

Academic Planning Data Base (APDB): The complete set of information about the academic program of the institution containing all basic faculty data, enrollment data, and course information taken from such sources as the corrected class schedule, four-week enrollments, and workload information. It is used in a variety of ways for examining the institution both internally and externally, including budget, audit and predictive purposes. By combining the data in different ways, the institution generates many kinds of detailed reports.

Academic Support Program: A budget term denoting those activities, such as the Library, audio-visual services, and computing support, which assist the academic functions in retaining, presenting and displaying materials.

Agency: The designation of CSULB as a General Fund Agency which is funded from taxes, materials and services fees and application fees.

American Association of University Professors (AAUP)

Assigned Time: A portion of faculty workloads authorized for certain types of special assignments, such as instructionally related research, new preparations, special instructional programs, etc. A complete listing of activities for which a faculty member may receive assigned time is in the Assigned Time Code List available in the Office of the School Deans.

Association of California State University Professors (ACSUP)

Automatic Data Processing (ADP): Computer Services.

California College and University Faculty Association (CCUFA)

California State Employees Association (CSEA)

Campus Planning Committee: An advisory group responsible for making recommendations to the President on the physical development of the campus.

Category: A budget term denoting the divisions of budgeted funds within a program: Personal Services, Operating Expenses and Equipment and Reimbursements.

C-Factor: A classification system of courses used in determining the workload credit a faculty member receives for teaching a specific course. Credit depends upon the unit value of the course. In the case of laboratory or activity courses, workload credit is determined by the K-factor. For a more detailed explanation of the staffing formula, contact the Office of University Planning.

Computer Assisted Registration (CAR)

Cost Center: A budget term which refers to the smallest subdivision of an agency or program, e.g., Audio Visual is a cost center for the Academic Support Program.

Course Level Code: That set of figures indicating the academic level of the instructional offering: In general, Freshman courses are numbered as 100 courses, Sophomore as 200, Junior as 300, Senior as 400, and Graduate courses as 500 and 600.

Educational Opportunity Program (EOP): Those programs designed to aid educationally disadvantaged, low-income students to enter and adapt to the University and to aid them in developing their personal and academic potential.

Educational Participation in the Community (EPIC): A campus organization designed to promote and coordinate opportunities for students to gain practical experience and to relate theory and practice by applying their course learning outside the classroom in the community as a "learning laboratory."

Full-Time Equivalent Faculty (FTEF): The figure used in calculating student-faculty ratio, and other formula-based determinations. A full-time equivalent faculty member must teach 12 Weighted Teaching Units; therefore

$\text{FTEF} = \frac{\text{WTU}}{12}$. Also 1 FTEF = 1 faculty position.

Full-Time Equivalent Students (FTES): The total number of student credit units for which students are registered at the University divided by 15 (the number of units determined as appropriate for the full-time student), which is used as the official figure on which budget formulas are based.

HEGIS Category: A number developed as a part of the Higher Education General Information Survey to designate a discipline or related group of disciplines (as Social Science). This is often called the "HEGIS Code."

Independent Operations: A budget term referring to those operations such as research grants, the Forty-Niner Shops and the Foundation, which add to the University community but are independent of its main instructional activity and not supported by state general funds.

Institutional Support Program: A budget term referring to those activities which provide university-wide service to all the other programs; for example, executive management, financial operations, general administrative services, logistical services and physical plant operations.

Instructional Program: A budget term referring to all formal instructional activities in which a student engages. All regular instruction falls within this program.

K-Factor: A multiplier used in computing workload credit for laboratory or activity courses. The student unit value of the laboratory or activity portion of the course is multiplied by the K-Factor to compute the faculty workload credit. The K-Factor varies for different types of courses. This is part of the staffing formula (see entry for C-Factor).

KSUL: The call numbers of University Radio Station, 90.1 on FM dial.

Line Item: The smallest subdivision of an agency budget, e.g., printing, duplicating and travel-in-state, etc.

Material & Services Fees (M&S): Charges established by the Board of Trustees and paid by the student to offset the cost of certain services and instructional material provided the student by the University.

National Council on Higher Education Management Systems (NCHEMS)

Operating Expense and Equipment (OE&E): The budget category which groups all non-personnel expenditures such as supplies and services, travel and equipment.

Personal Services: That budget category which groups together all direct personnel expenditures such as wages, staff benefits, salary savings, and blanket positions (e.g., temporary help and student assistant positions) and serialized positions (those positions listed individually in the Governor's budget).

Planning and Educational Policy Council (PEP): That Council, established by the Academic Senate, charged with making recommendations regarding the academic program of the University.

Program: A budget term denoting the subdivision of an agency. The programs at CSULB are Instruction, Academic Support, Institutional Support, Student Services, and Independent Operations. Each has sub-programs and cost centers.

Reimbursed Positions: Positions funded by sources other than the State, e.g., federal grants, the CSULB Foundation, the Associated Students, etc.

Reimbursements: The budget category which groups all funds received from sources other than the State, such as federal or foundation grants, M&S fees, and non-resident fees.

S-Factor Course: A course in which the faculty member supervises students doing individual work. Workload credit depends on the number of students supervised without reference to the units awarded each student. This is a part of the staffing formula (see entry for C-Factor).

Student Credit Units (SCU): The product of the course credit hours multiplied by the enrollment in the class section.

Student/Faculty Ratio (SFR): The number of full-time equivalent students (FTES) divided by the number of full-time equivalent faculty (FTEF).

Student Services Program: A budget term denoting those services to students which are either partly or completely financed from student materials and service fee revenues; for example, career guidance, counseling and the health center come within this program.

Supplies and Services (S&S): A budget term denoting the line item in OE&E which covers such items as office supplies, memberships, consultant fees and some office furniture. Instructional S&S is mostly funded by M&S fees.

Ticket Number: That number which identifies each section of a given course.

United Professors of California (UPC)

University Planning Committee (UPC): A subcommittee of the PEP Council which includes the President, Vice Presidents, and Deans as well as faculty members. The committee is coordinating the development of the University's Five-Year Plan.

Weighted Teaching Units (WTU), also known as equated teaching units: The teaching load credit a faculty member receives for instruction in a given class. The WTU for a lecture course is equal to the student unit value for the course. For laboratory or activity courses, the unit value is multiplied by the K-Factor for that course. This is a part of the staffing formula (see entry for C-Factor).

Western Interstate Commission for Higher Education (WICHE)

History, Planning, and Budget

1

A. History

Location. The University is located on a 320-acre campus approximately four miles east of downtown Long Beach, bounded by Seventh Street, Bellflower Boulevard, Atherton Street, and Palo Verde Avenue.

History. On January 27, 1949, then Governor Earl Warren approved legislation establishing what is now California State University, Long Beach. Originally known as "Los Angeles-Orange County State College," it was the tenth campus to be started in what is now the California State University and Colleges System. Under President P. Victor Peterson, instruction began in September, 1949, with a faculty numbering 13, and a student body consisting of 160 juniors and seniors.

In 1950 the City of Long Beach donated a one-million-dollar 320-acre permanent site for the College, and the name was changed to Long Beach State College. Construction of temporary buildings was begun on the northern campus in 1951, and these were ready for use by fall semester of that year.

1

In 1953 the first freshmen and sophomores were added to the growing number of upper division students who had preceded them, and ground was broken for the first permanent buildings. Several of these were ready for occupancy by January, 1955, and formal dedication ceremonies were held the following May in the Little Theatre.

Enrollment growth after 1955 exceeded 1,000 students a year. Plans for a maximum Full-Time Equivalent enrollment of 5,000 students were revised, and new plans were formulated for a campus which would accommodate 25,000 FTE students.

In 1964 the name of the institution was changed again to California State College at Long Beach (later California State College, Long Beach). Finally, in June, 1972, the Legislature recognized in name what had long existed in fact and the campus was designated California State University, Long Beach. Under the University's second president, Carl McIntosh, enrollment growth continued and accelerated in the 1960's. By 1974, a quarter century after the first students were admitted, Long Beach became the largest of the System's 19 campuses, with an FTE enrollment of almost 21,000, a total enrollment of almost 31,000 students (8,500 of which are graduate students), a full and part-time faculty of more than 1,600, and a staff of 1,000.

There are 38 permanent buildings on campus; the original cost was more than $40,000,000, and a major new building program is in progress. The ceiling of 25,000 FTE students (35,000-40,000 students) is expected to be reached by the early 1980's.

B. Planning

Since its founding in 1949, California State University, Long Beach, has become a major six-year regional university. It is part of a growing network of the California State University and Colleges System established in 1960 by the Donahoe Higher Education Act.

In accordance with the Act, the California State University and Colleges System is governed by a 21-member Board of Trustees, five of which are ex-officio and 16 appointed by the Governor. A list of current members may be found in the Undergraduate Study Bulletin. The Trustees appoint the Chancellor and the Presidents and work together with these officers in developing systemwide policy, with recommendations from the Academic Senate of the California State University and Colleges.

The Trustees derive their authority from the **State Education Code** and the **California Administrative Code** (Title 5). Section 23604 of the **Education Code** states that "The Trustees shall adopt rules and regulations not inconsistent with the laws of this state for: (a) The government of the trustees; (b) The government of their appointees and employees; (c) The government of the state colleges. The rules and regulations shall be published for distribution as soon as practicable after adoption."

The Donahoe Higher Education Act also established the Master Plan for Higher Education for the State of California which provided a differentiation of functions for the community colleges (restricted to lower division work and the Associate of Arts degree), the State University and Colleges (six-year institutions providing baccalaureate and master's work and, where appropriate, a joint doctorate), and the University of California (which offers programs through the doctorate and has reserved for it certain professional schools such as medicine, dentistry and law). The University of California was designated as the primary State-supported academic agency for research; the State University and Colleges System was authorized to conduct faculty research to the extent it is consistent with its primary mission, which is the provision of instruction. The campus has a major commitment to applied research and public service.

The Master Plan provided that "the primary function of the California State University and Colleges was to be the provision of instruction for undergraduate students and graduate students through the master's degree in the liberal arts and sciences and applied fields and in the professions." To achieve these goals, the Board of Trustees has specifically mandated that there be work in the humanities, the natural sciences, mathematics, the social sciences, in teacher education, business administration, physical education, and health education.

The State University and Colleges System has developed a number of campuses which are conveniently located for a majority of Californians. Similar to Long Beach where less than a thousand students live on campus, these campuses are designed to provide quality, low cost education to meet the needs of commuting students. Because several System campuses are located in the Southern California area, it has been possible for these institutions to specialize in additional fields for which there is insufficient demand on every campus. Thus, in addition to the basic subjects listed above, California State University, Long Beach, has developed specialized programs in Fine Arts, Engineering, Industrial and Vocational Education and Technology, Criminal Justice, Home Economics, Journalism, Radio/Television, Recreation, Social Welfare, the Health Professions, Public Administration and Ocean Studies.

Adoption of the Master Plan's recommendations provided a firm basis for the University's internal planning. Operating within these parameters, the University has sought to define its mission and to continue to grow and to develop in a way which will assure the fulfillment of its educational mandate in the most efficient and effective way possible.

To assure unity and continuity in planning, an Office of University Planning was established in 1971. It is headed by the Executive Dean — Planning and includes Directors of Academic Planning, Physical Planning, and Institutional Research who have primary responsibility for these three areas. There are also two Associate Directors of Planning who provide planning services for and liaison with Schools and academic programs. The Planning Office works closely with the Budget Office to insure that the plans of the University are reflected in both budget proposals and budget allocations.

The University is now engaged in a continuing process of developing a Five-Year Plan, the first phase of which was designed to determine the needs and priorities in the academic programs of the University. This initial step, coordinated with the University Planning Committee and involving the participation of each member of the faculty, is nearing completion although it will continue as an on-going process. The second phase includes more extensive planning involving the entire University, including student services and support areas.

C. Budget

Almost all (98.5%) of CSULB's budget is generated by formulae which are driven by such variables as Full-Time Equivalent Students, Student Faculty Ratios, and individual students. The balance of the budget is generated by the University's submission of Program Change Proposals (PCP) and Program Maintenance Proposals (PMP). Program Change Proposals request additional funding for new programs at the University. Program Maintenance Proposals ask for budget augmentations to maintain or expand existing programs. Over $500,000 in added funds were generated for Fiscal Year 1973-74 as a direct result of approved Program Change Proposals and Program Maintenance Proposals. This funding allows the University flexibility to provide services that are not available through existing formulae funding methods.

Once the formulae derived funds and PCP and PMP augmentations are combined, the resulting "budget request" is submitted by the President to the Chancellor. The flow of that budget request, which results in the University's final budget, is one of review, adjustment, and reduction.

The requested budget is adjusted at each stage of the review process. Initial review is carried on by the various staffs within the Chancellor's Office where it is combined with those budgets from the other campuses within the System. The resulting total budget for the CSUC System is approved by the Board of Trustees. Then the budget request of the CSUC System is reviewed by the Department of Finance and the Governor to correlate the needs of education to other needs such as natural resources, health care, and corrections. The Legislative Analyst and his staff review the Governor's proposals from the viewpoint of the Legislature. After extensive hearings by the Assembly Committee on Ways and Means and the Senate Committee on Finance, the differences in floor action by both houses are reconciled by a Joint Conference Committee, again ratified by each chamber and submitted to the Governor as the Budget Act.

Under the Constitution, the State cannot have a deficit budget so the final Budget Act is adjusted and reduced in order that the projected revenues of the State will fund the approved programs. The Governor has the line-item veto power and may utilize it to veto portions of the Budget Act before he signs it into law. Only one veto of a California Governor has been overridden since 1946. With the enactment of the budget the Chancellor's Office allocates the authorized funds to the various campuses on a line-item budget basis. Based on needs and priorities, these funds are then reallocated at the university level to various instructional programs and to the Schools which, in turn, allocate to the various Departments and academic areas.

The budget programs supported by state general funds ($43.8 million for FY 1974-75) include instruction, organized research, public service, academic support, student service, institutional support and independent operations. In addition, there are special funds (approximately $2 million in FY 1974-75) for parking, housing, extension, and summer sessions which are on a self-support basis.

State-wide policy places restrictions on the transfer of funds between programs. These kinds of transfers cannot be approved locally. Transfers between categories (Personal Services, and Operating Expense and Equipment) within these programs are authorized and can be approved on campus under an Executive Order issued by the Chancellor. However, under the current rules there are specific restrictions which do not allow transfer from the Equipment category to other categories of expenditure.

University Organization

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A. Administrative Organization

1. The chart that follows reflects the organization of the University as of Fall 1974. Names of current executive officers, Deans, and Department and Academic Area Chairpersons are listed near the front of the Undergraduate Study Bulletin. Any question a faculty member has regarding the function of, or communication with these offices should be directed to the Department Chairperson.

1. Organization Chart

President of the University
- Executive Assistant to the President
- Appointments Secretary
- Administrative Aide to the President
- Executive Vice President — Foundation
- Director of University Relations
  - Director of Information and Publications
    - Manager, News Services
- **Executive Dean — Planning**
  - Associate Directors of Planning
  - Director of Academic Planning
  - Director of Institutional Studies
  - Director of Physical Planning and Development
- **Vice President for Academic Affairs**
  - Associate Vice President for Academic Affairs — Academic Personnel
    - Affirmative Action Officer
  - Dean of Graduate Studies and Research
    - Director of Research
  - Dean of Summer Sessions and Continuing Education
    - Director of Continuing Education
  - Dean of the School of Applied Arts and Sciences
  - Dean of the School of Business Administration
  - Dean of the School of Education
  - Dean of the School of Engineering
  - Dean of the School of Fine Arts
  - Dean of the School of Letters and Science
  - Director of the Center for Health Manpower Education
  - Director of the Center for Public Policy and Administration
  - Director of Special Programs
  - Director of the University Library
  - Director of Learning Resources
  - Relations with Schools Officer
  - Coordinator of Scheduling
  - Director of the Career Development Institute

- **President of the University**
  - **Vice President for Administration and Staff Coordination**
    - Chief of University Police
    - Director of Plant Operations
    - Director of Automatic Data Processing and Information Systems
    - Director of Staff Personnel
    - Director of Physical Planning and Development
    - Director of Financial Aid
    - Associate Dean, Admissions and Records
  - **Executive — Student Affairs: Dean of Students**
    - Associate Dean for Student Affairs (Staff Coordination)
    - Associate Dean for Student Affairs (Judicial Affairs)
      - Director, University Student Union
      - Associate Dean, Student Activities
    - Associate Dean and Director of Career Planning and Placement
    - Associate Dean, Counseling and Testing
    - Director of the Health Center
    - Associate Dean, Director of Housing
    - Director of Intercollegiate Athletics
    - Director of International Student Affairs
    - Director of Student Development Programs
  - **Business Manager**
    - Comptroller
      - Director of Accounting
      - Director of the Budget
      - Director of Payroll
      - Director of Purchasing
      - Director of Support Services
      - Associated Students Business Manager

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2. School and Department Organization

Until 1967 the University was organized into nine divisions under the general direction of a Dean of the College. In that year the divisions were merged into six Schools, each headed by a Dean, and all under the general direction of the Vice President for Academic Affairs.

Four of the Schools — Business Administration, Education, Engineering, and Fine Arts — were formed from divisions of the same name. The Division of Applied Arts and Sciences and the Division of Health, Physical Education and Recreation were merged to form the School of Applied Arts and Sciences. The Divisions of Humanities, Natural Science, and Social Sciences were combined to form the School of Letters and Science.

A list of Schools, Departments, and Academic Areas can be found near the front of the Undergraduate Study Bulletin.

3. Duties and Responsibilities of School Deans and Department Chairpersons

Deans of Schools: The Dean is the chief executive of the School, an officer of the University, and serves at the pleasure of the President. The Dean reports to the Vice President for Academic Affairs, and has the responsibility for the management of all resources entrusted to the School; for academic and fiscal planning; personnel policies applicable within the School; and coordination of the various Departments that constitute the School.

Chairpersons of Departments and Academic Areas: The Chairperson is the designated administrator of the Department or Academic Area and academic leader of the departmental faculty. The Department Chairperson serves at the pleasure of the President. However, the President has delegated the responsibility for appointment of Department Chairpersons to the Deans of the Schools after consultation with the Vice President for Academic Affairs. The Chairperson reports to the Dean of the School and is responsible for planning and administering the academic programs of the discipline, including the preparation and improvement of instruction; the formulation of the Department's curriculum; planning the opera-

tion and development of the Department; preparing required reports; administering personnel matters within the Department; preparing job descriptions; initiating hiring requests; recruiting faculty; obtaining supplies and services; and performing such other duties as may be assigned by the School Dean.

4. Administrative Boards and Committees

a. University Advisory Board: This body consists of community leaders interested in the development and welfare of the institution. The Board serves the President in an advisory capacity, particularly in matters which affect University and community relations. Members are nominated by the President and appointed by the Board of Trustees for terms of four years. Not including honorary members, membership is limited to 15. Members are listed in the Undergraduate Study Bulletin. The President has asked the Chairperson of the Academic Senate, the Chairperson of the Staff Affairs Council, the President of the Associated Students, and the President of the Alumni Association to participate as ex-officio members.

b. Campus Planning Committee: By action of the Board of Trustees, each institution must have a Campus Planning Committee. The committee is appointed by the President and must have representation from the areas of educational policy, finance, and master planning, and consists of the following membership:

President (Chairman)

Director of Physical Planning and Development

Three members selected by the President to represent educational policy and finance

Business Manager

Consulting Architect (representing master planning) Ex officio

Consulting Landscape Architect (representing master planning) Ex officio

Ex officio representative from the CSUC Physical Planning Office.

In addition, the President has asked various students who represent the concerns of the handicapped to participate as guests of the committee.

The committee serves in an advisory capacity to the President in relation to: development and maintenance of a long-range plan for the physical development of the campus; selection of sites for each new building and other physical facilities on the campus; reviewing the work of the architects during the schematic drawing phase; reviewing and making recommendations on the five-year and other long-range building programs; reviewing city and county planning commission matters related to campus development, zoning in areas surrounding the University, streets and highways leading to and from the campus, and other matters; and studying and reviewing the areas delegated to it by the President. At this University, long-range campus physical planning is integrated into the total University planning process.

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B. Faculty Organization

1. The Faculty

Members include all full-time faculty with the rank of instructor or above, professional librarians, counselors, the President, Vice Presidents, Associate Vice Presidents, Deans, and Associate Deans. The President of the University serves as Chairperson of the Faculty, and the Chairperson of the Academic Senate serves as Vice Chairperson of the Faculty. A Secretary is elected by the faculty.

2. The Academic Senate

The Statewide Academic Senate of the California State University and Colleges serves as an advisory body to the Chancellor and to the Board of Trustees, as well as a communicative link between them and the faculties. CSULB is currently entitled to four statewide Academic Senators who are elected for three-year terms. Information regarding procedures for their election on this campus, current members, minutes and reports, etc., is available at the local Academic Senate Office, Room 136, Administration Annex (Ext. 4149).

On the local level, the Academic Senate, CSULB, is the representative body of the faculty and as such serves in an advisory and recommending capacity to the administration in the development of policy. It is also a communications link between the faculty and the administration. Full-time faculty with the rank of Instructor or above are eligible to serve on the Senate and are elected by Schools for staggered two-year terms. One Senator represents approximately 20 full-time faculty (the Library is treated as a School). Some representatives from the administration, staff, and student body are also voting members of the Senate.

The Chairperson, Vice Chairperson, Secretary, and two other members, all elected by the Senate, form the voting members of the Rules Committee which serves as the Senate's executive committee and plans and schedules Senate meetings. The immediate past Chairperson of the Senate and all CSULB Statewide Senators are non-voting members of the Rules Committee.

3. Councils and Committees

The Senate (through its Committee on Committees) defines and limits the powers of all committees and councils which report to the Senate. There are nearly 30 standing committees which are listed in the current Undergraduate Study Bulletin including:

ADP and Information Services Advisory Committee
Athletic Board of Control
Campus/Police Relations
Committee on Committees
Ecological and Environmental Practices
Elections
International Programs
Judiciary
Legislative and Public Relations
Library
Mass Communications Commission
Matriculation and Registration
Panel on Professional Standards
Research
Rules
Scholarships and Loans
Scholastic Standards
Student Conduct
Student Housing
Television
University Organization and Administration Affairs
University Operations

Membership on committees and councils consists of faculty members who are appointed by the Academic Senate upon recommendation of its Committee on Committees as well as administrators serving ex officio. The Senate may also establish special or ad hoc committees to consider proposals outside the purview of any existing standing committees.

There are five major policy councils: the Financial Affairs Council, the Graduate Council, the Planning and Educational Policies Council, the Student Affairs Council, and the Teacher Education Council. Membership on the councils consists of faculty, students, and administrators. Faculty members are elected by the Schools.

C. Auxiliary Organizations

Organizations which have an official relationship with the University, but which are not supported by State general funds, are designated as "auxiliary organizations." They may be established for such purposes as to foster self-government in student affairs, or to provide more effective operation than can be achieved under the usual governmental, budgetary, purchasing, and other fiscal controls. Such organizations on this campus include the Associated Students, the Forty-Niner Shops, and the California State University, Long Beach Foundation.

1. The Associated Students at the University is intended to establish channels for student participation in governance of the institution to assure student self-governance in many areas; to provide services, facilities, and amenities that are not secured from State funds; and to plan and implement a broad spectrum of educational, social, cultural, and athletic programs to enrich campus life.

Executive authority is vested in the President, Vice President, and Treasurer of the Associated Students, elected in the spring. Appointed executive officers include an A.S. Administrator and a Deputy Administrator for Co-curricular Affairs. The A.S. President also appoints chairpersons of a number of executive commissions and committees.

Legislative authority is vested in the 19-member A.S. Senate. Most of its members are elected in the spring. The Senate has power to establish and regulate financial operations, establish student government policies, override an A.S. presidential veto, recommend the chartering of student organizations, approve A.S. presidential appointments, create committees, revise by-laws, fill elective office vacancies, and approve the A.S. budget. The A.S. Senate meets at 3:00 p.m. Wednesdays in the Senate chambers in the University Student Union.

Judicial authority is vested in the A.S. Judiciary, which is made up of the Chief Justice and six Associate Justices, all appointed by the A.S. President. The Judiciary interprets the By-Laws, may take disciplinary action against student organizations, and renders final decisions in election disputes.

Financial matters and administration of the business affairs of the Associated Students are handled by the Board of Control, a student-faculty-administration group headed by the A.S. Treasurer. The Board meets at 3:00 p.m. Mondays in the A.S. Senate chambers.

Representation from the student government is provided for on most of the all-University and faculty standing committees.

The faculty has one representative each on the A.S. Board of Control and the A.S. Judiciary.

2. Forty-Niner Shops is the name under which the Bookstore and Food Services operate as an auxiliary organization of the University. The organization was formed in 1953 as an educational non-profit corporation, providing services to the University community.

The nine-member Board of Directors of the Forty-Niner Shops includes representatives of the University administration, faculty, student body, and a representative from the local business community. The Board establishes general policy and governs the financial affairs of the corporation. The General Manager, as the chief executive officer, reports to the Board of Directors.

Accounts of the corporation are regularly audited by a local auditing firm and by the State Department of Finance.

3. The California State University, Long Beach Foundation is a separate, non-profit corporation which functions basically as a support and facilitating organization for the University. Its operations include the administration of grants and contracts from governmental and private agencies for research, education, scholarships, capital construction, and other activities related to University programs.

The Foundation has federal and state tax exemption and accepts donations, gifts, and bequests for any University-related use while simultaneously providing a tax-deductible advantage for the donor.

One of its most important projects is the Faculty Grant Program which annually awards grants to faculty members for research.

It is important for each faculty member to comply with the requirement that when any research or special project in which the University name is used, or where the faculty member is specifically identified as belonging to the faculty of the University, or where the University facilities or students are involved, the financial operations be handled through either the Foundation (Ext. 5195) or the University Business Office (Ext. 4167).

Compensation for any full-time campus employee who is directly employed by the Foundation in an administrative, consulting or other capacity related to a special project operated under the Foundation will normally be based on the employee's regular salary rate.

Further information is available at the Foundation Office, Room 106, Administration Building (Ext. 5195).

D. University Support Groups

Community support is an important element of the University, and there are a number of groups which have been established to assist and advance various aspects of the institution, its administration, faculty, staff, student body, and alumni programs.

1. The Alumni Association was organized in 1952. All CSULB graduates are eligible for regular membership, and there are associate memberships for friends and supporters who have not attended the University. Information on this Association is available through the Alumni Office (Ext. 4194).

2. The Faculty Wives Club is open to wives of all active members of the faculty and administration, with automatic honorary membership for wives of retired and deceased members. Activities of the Club include providing student scholarships and loan benefits, welcoming and providing an orientation program for newcomers, and promoting and organizing interest groups among faculty wives. A roster of current officers is available in the Office of the University President (Ext. 4121) or the Academic Senate Office (Ext. 4149).

3. The Fine Arts Affiliates is a non-profit organization formed to lend community support to the activities of the Departments of Art, Dance, Music, and Theatre Arts. Membership is open to everyone interested in the promotion of University-community artistic efforts, and members are put on a special fine arts mailing list by which they are kept informed of musical concerts and recitals, dance and dramatic productions, and Art Gallery Exhibits. Special events are often scheduled for members. Further information is available through the School of Fine Arts (Ext. 4364).

4. The Forty-Niner Athletic Foundation is an organization with the express purpose of aiding the intercollegiate athletic program of the University. Through funds for scholarships, grants-in-aid, and other activities designed to rally campus and community support, this group works to insure a strong, vigorous athletic program at the University. Information on membership dues, privileges, and activities is available through the Forty-Niner Athletic Foundation (Ext. 4662).

5. The International Community Council for Foreign Students and Visitors works with the International Student Center on campus, the International Student Committee of the Associated Students, and representatives of national groups to conduct a continuing orientation program for new foreign students. The Council aids in finding suitable living accommodations, and sponsors educational, social,

cultural, recreational, and vocational programs to assist in cross-cultural understanding. Information on the Council is available at its office, located in the International Student Center (430-0813).

6. In addition, each School as well as many individual Departments are affiliated with professional societies and organizations or have established community advisory councils and alumni associations which provide support, encourage community involvement in specific professional fields, and seek to further the state of the respective art. Information concerning each School is available through the appropriate School Dean.

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Personnel Policies and Procedures

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A. Academic Year Employee

An academic year employee is an individual employed for two consecutive semesters, each semester being of the same approximate length. The academic year commences with the beginning of the fall term and concludes with the end of the spring semester.

B. Affirmative Action

It is the expressed policy of California State University, Long Beach, to undertake the realistic and rapid removal of any policies or practices that have discriminated against individuals and groups on the basis of race, color, national origin, religion, sex, or age. Each member of the campus community has the specific responsibility of assisting in making this University sensitive to human needs, particularly in eliminating any institutional subordination of ethnic minorities and women.

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Our Program for Positive Action, which is designed to alleviate these difficulties, has two major segments. The first concerns our role as an educational institution and our function, as a supplier to the labor market, to do all we can, through for example, placement, curriculum development and special training programs, to eradicate attitudes which perpetuate discrimination. The second segment regards our role as an employer; we have both a moral and legal obligation to have an employee composition in proportion to the ethnic minorities and women in the general and specific labor markets from which we draw. Full support is given to affirmative action programs that correct discriminatory hiring and employment practices, and contribute to efforts to overcome the under-representation and under-utilization of ethnic minorities and women on our work force.

The University has issued general guidelines implementing the policy of equal employment opportunity. These guidelines refer to **all** aspects of employment and employment conditions, assignment, training and evaluation of personnel, as well as decisions to retain, promote, or grant permanent status. They are available in the Office of the Affirmative Action Officer, Administration Building 119. The Affirmative Action Officer has the responsibility for coordinating the Affirmative Action Program in conjunction with the Associate Vice President for Academic Affairs-Academic Personnel, the Director of Staff Personnel, and the Deans of the Schools and Chairpersons of the Departments or academic areas. The Affirmative Action Officer is also responsible for providing clarification of intent of the guidelines and technical assistance to administrators implementing the program; reviewing plans and goals and monitoring performance; and reviewing reports of discrimination not resolved at other organization levels.

Some of these basic guidelines as they pertain to the responsibilities of Schools and Departments or areas include:

- conducting an inventory of current employees and student assistant composition by job category which will identify opportunity areas as well as qualified and qualifiable ethnic minorities and women;

- projecting anticipated personnel requirements by job category including new positions, vacancies, retention and upgrading.
- establishing employment objectives and numerical goals by job category for employment, training, upgrading, promotion, etc., with anticipated target dates for achievement;
- taking positive steps to create a work climate receptive to ethnic minorities and women;
- developing action programs to attain employment goals and objectives, including the provision of training experience to upgrade under-utilized minority employees and women; adhering to University-wide policy on employment, including, but not limited to the announcement of all vacancies in the Weekly Bulletin, display of Equal Opportunity posters, and use of the phrase "An Equal Opportunity Employer" on all job announcements, recruitment literature, advertisements and pertinent correspondence.

C. Nepotism

Personnel rules of the University do not prohibit employment of more than one member of a family as faculty or staff. There are, however, certain kinds of organizational relationships among members of the same family that are generally inadvisable. These include circumstances where one member of the family:

1. Has a supervisory responsibility for another member of the immediate family;
2. Has a position of fiscal responsibility for another member of the immediate family; or
3. Is in a position to influence the personnel status of another member of the immediate family.

Questionable cases will be reviewed by the appropriate Dean or administrator prior to appointment.

Prudent conduct requires that faculty members do not permit their spouses and children to enroll in the courses which they conduct.

D. Salary and Payroll Information

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For current information concerning faculty salary schedules, etc., contact the Office of the Associate Vice President for Academic Affairs-Academic Personnel, Administration 115 (Ext. 5157).

For payroll information, such as changes in payroll deductions, insurance, and health, retirement and death benefits, contact the Payroll Office, Library E-107 (Ext.4164).

E. Reappointment and Advancement

The University Reappointment and Advancement Policy, which appears in Appendix I of this Handbook, provides the basic guidelines for all reappointments, including those which confer tenure, and for promotions in academic rank. The information set forth in the University Reappointment and Advancement Policy is supplemented by the following excerpt from the President's letter to the faculty of February 1, 1972, setting out the basic principles of the reappointment and advancement process:

There must be participation and rendering of judgement by those academic administrators elected or recommended by the faculty and appointed by the President. Starting with the 1972-73 academic year, I will require each administrative area chairman (i.e., the chairman of the administrative area immediately below the school) and school dean to make retention and advancement recommendations an essential part of his assigned duties. Since it would be inappropriate for an administrator to participate twice in the process, school deans and academic area chairmen will not be permitted to serve as members of faculty-elected retention and advancement committees. At the same time, I will require the academic administrators at each level to meet and to confer with the corresponding faculty committees so that there can be as much faculty-administrative concurrence at each level as possible.

The above excerpted statement implements a policy mandated by the Board of Trustees of the California State University and Colleges. Relevant legal documentation also appears in Appendix I of this Handbook.

Each faculty member should also secure a copy of the School and academic area policies on reappointment and advancement.

F. Student Evaluation of Faculty

Evaluation of teaching effectiveness including some student input has been mandated by the Board of Trustees of the California State University and Colleges for purposes of appointment, retention, promotion, merit salary increases, and tenure.

In accordance with this, it is the policy of this campus that some courses of every faculty member must be evaluated each semester. In carrying out such evaluations, an academic area may elect to employ the evaluation instrument developed by a University committee, the Educational Testing Service form, or a form of their own design, as long as the latter has been recommended by the Dean of the School and approved by the Associate Vice President for Academic Affairs. Should an area propose to evaluate teaching other than by student/faculty evaluations, the process must be recommended by the Dean of the School and approved by the Associate Vice President.

A full summary of the information collected from these evaluations shall be included in the reappointment and advancement file, and shall be provided to the instructor as soon as final grades have been completed.

The academic area or School shall administer the questionnaire, and funds will be provided for this purpose through the Office of the Associate Vice President for Academic Affairs-Academic Personnel, where the records will be retained.

G. Faculty Appeals and Grievances

13 There should be every attempt to resolve grievance matters at an informal level before proceeding to formal procedures. Informal settlement processes should be initiated with the Department Chairperson. For formal grievance or disciplinary procedures, see Executive Orders 113 (Disciplinary) and 201 (Grievance) in Appendix II of this Handbook.

H. Solicitation for Profit

No faculty member shall engage in any on-campus solicitation or referral to any private agency for personal material gain.

I. Supplementary Employment

1. **Consulting or Professional Services**

Consultation within his or her professional field is recognized as a legitimate activity for faculty members; however, such activities should not limit the faculty member's full-time effort in primary responsibilities to the University. It is desirable therefore, whenever feasible, that faculty members engage to some degree in consultation work and research, creative activity, professional writing, or technical writing. Such activities should tend to improve and broaden the knowledge of the individual so engaged, and should bring prestige to the individual and the University as well as benefits to the instructional program.

Private professional service by a member of the faculty at California State University, Long Beach is restricted at all times to engagements which, in the opinion of the Department and the School, do not interfere with the performance of one's assigned academic duties, and are proper for a member of this faculty to accept. One day, or 10 hours per regular work week of consulting or professional services may not be deemed incompatible.

In all private consulting engagements the client must be informed that the faculty member is acting as a private consultant; that California State University, Long Beach is in no way a party to the contract or liable or responsible for the performance thereof; and that this University is not liable in any way for property of the client utilized for test, observation, or otherwise in connection with the consulting engagement, nor for consequent damages. No official California State University, Long Beach stationery or forms shall be used in connection with such work, nor shall the name of the University be used in advertising or in any other connection.

Neither the State University and Colleges nor any of its officers or employees shall endorse in an official capacity any commercial product or service.

2. **Additional Teaching**

Full-time faculty members are expected to devote such effort and attention as may be required to fulfill in quality performance the demands of their position. It is the policy of the University to permit full-time teaching faculty to teach in excess of their full load during the academic year, provided that the excess load does not exceed three credit units per semester, or the equivalent thereof as determined by the Dean of the School. Section 3322 of the Personnel Sections of the CSUC Administrative Manual provides that:

Faculty employed full time at the college should be limited to not more than six semester units of the equivalent extension courses per academic year, including winter intersession.

J. Community Service

To promote and maintain mutual understanding between the University and the community, members of the faculty and staff are encouraged to participate in community organizations.

K. Faculty Enrollment in Classes

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Any faculty member who wishes to enroll in classes at CSULB (either as an auditor or for credit) must obtain permission first from the instructor of the class, and second from the School Dean.

To avoid possible conflicts of interest, full-time faculty are encouraged to pursue their graduate education at neighboring institutions rather than at CSULB.

L. Leaves

Sabbatical Leaves. Faculty members who have completed at least six consecutive, full-time academic years of service within the California State University and Colleges System, are eligible to apply for sabbatical leave. Within existing fiscal limitations, such leaves are granted for the purpose of research, study or travel, which will be of benefit to the University.

Two types of sabbatical leaves are available:

1. One semester at full pay or one academic year at half pay. (Class A)
2. Difference in pay, with compensation equal to difference in salary between that received by the person on leave and Instructor, Step 1. Such leave can be for one semester or full academic year. (Class B)

Application for sabbatical leave must be made through the appropriate faculty committee of the School, accompanied by details of the applicant's plan of study, research or travel, with statement of benefit to the University.

The faculty member is required to return and render service in the California State University and Colleges System at the rate of one semester of service for each term of such leave. A written report of accomplishment must be filed with the Associate Vice President for Academic Affairs not later than the end of the first semester after the person returns.

There are guidelines regarding conflicting activities and outside earnings of faculty on sabbatical leave which have been issued by the Office of the Chancellor and are available in the University Policy File and in the Office of the Associate Vice President for Academic Affairs.

Military Leave. Any faculty member required to take leave of absence to enter military service shall submit documents required to effect such leave through the Department Chairperson and School Dean, to the Associate Vice President for Academic Affairs.

Leave of Absence Without Pay. Application for leave of absence without pay should be submitted to the Office of Associate Vice President for Academic Affairs through the Department Chairperson and the School Dean, stating purpose of leave, destination, and period of time covered. Such leaves may be approved for periods not to exceed a total of two academic years.

Sick Leave. A faculty member accrues six days of credit for sick leave after six months of continuous full-time service; thereafter one day of credit for sick leave is allowed for each calendar month of service. Each faculty member is entitled to such leave with pay on the submission of satisfactory proof of the necessity for sick leave as provided by the rules of the State Personnel Board.

For further information, contact the Health Benefits Officer, Payroll Records Office, Library E-107 (Ext. 4164).

General Instructions for All Leaves. Faculty who anticipate going on any type of leave, or who are separating from the University, are urged to make an appointment with the Health Benefits Officer, Payroll Office. Arrangements must be made for clearance of pay warrants due, insurance coverage, forwarding addresses, keys, etc.

M. Emeritus Faculty, Rights and Privileges

Faculty may become Emeritus Faculty upon retirement from CSULB with fifteen or more years of service or after retirement at the discretion of the President, acting upon the recommendation of the appropriate Department and School.

Emeritus faculty receive invitations to social and formal functions of the University, and, upon request, may receive other benefits such as the right to purchase parking privileges; the opportunity to compete for research grants; the use of facilities of the Chart Room; discounts and complimentary tickets for plays, musicals, lectures, etc.; office and laboratory space, if available, with consent of two-thirds of the departmental faculty of which the Emeritus Professor was a member; attendance at departmental meetings, by invitation; use of all recreational facilities of the University; life-time subscriptions to all campus newsletters and newspapers, both student and faculty; and full faculty library privileges.

N. Employee/Faculty Organizations

The University takes an impartial position regarding the organization of academic or staff personnel or their selection of persons or groups to represent them in employment relations with the University. Employees may at their own choosing join and participate in the activities of employee organizations or may represent themselves in employment matters.

Examples of professional and other organizations on this campus are chapters of the American Association of University Professors, Association of California State University Professors, California College and University Faculty Association, California State Employees' Association, and the United Professors of California, and many professional groups limited to single or related disciplines.

Existing groups should fill out a Faculty Organization Registration Form, available at the Office of the Vice President for Academic Affairs, Administration Building, Room 103, at the beginning of each academic year. Newly formed groups should fill out the form at the time of their establishment. These forms will also be maintained with the University Student Union in order to facilitate the scheduling of Student Union facilities by such groups.

Lists of current officers of CSULB chapters are available at the Academic Senate Office, Room 136, Administration Annex (Ext. 4149). At any time, arrangements can be made at the Payroll Office to authorize or to drop the deduction of dues for such organizations from one's paycheck.

Academic Policies and Procedures

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A. Summer Sessions

The Summer Session program is budgeted and administered distinct from the regular academic year instructional program. It is a self-funded operation, totally dependent upon tuition income, and the Dean of Summer Sessions and Continuing Education works with and through the School Deans in developing the program of course offerings and calendars of instruction.

Because Summer Session is self-funded, opportunities for teaching depend upon student need and demand.

The Summer Sessions salary schedule is derived from that of the regular academic year, and is based upon the median salary (Step III) of each professional rank. Based upon a six-unit teaching load, the Summer Session salary is 1/6 of the median salary step (academic year).

All Summer Session appointments are contingent upon sufficient student registrations to warrant retention of the courses offered.

For further information, contact the Office of Summer Sessions and Continuing Education, Administration Annex 133 (Ext. 4184).

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B. Continuing Education

Educational services to the general public or to specific clientele are offered by various academic areas in the University in the form of regular University curriculum courses, degree credit courses created for offering in extension only, non-degree credit courses designed for professional groups or other specialized occupations, and non-credit courses. The program is financially self-supporting through course fees.

Faculty are encouraged to use the University's Continuing Education Program to extend University services to new constituencies of students, to bring such services to off-campus locations, and to develop new modes of instruction, new student-teacher relationships and new cooperative relations with community agencies, business firms, proprietary schools or other institutions of higher learning. Up to three units, or its equivalent, in extension teaching is allowed per semester, and remuneration is in addition to regular salary.

System policy generally limits the applicability of extension course credit toward the bachelor's degree to 24 units. For detailed information, consult the Director of Continuing Education, Administration Annex 133 (Ext. 4315). The Graduate Bulletin should be consulted for the applicability of extension credit to the master's degree.

Continuing Education is to be conducted so as to complement and supplement, but not compete with, either regular or summer session classes; extension activity should in no way adversely affect the enrollment in these other programs. The scheduling of Continuing Education classes need not necessarily conform to the academic year calendar.

Further information on University policy for Continuing Education is available at the Office of Summer Sessions and Continuing Education.

C. University Related Programs

Any instructional program, whether or not academic credit is conferred, which is offered in the name of California State University, Long Beach must be a part of the state supported program or must be offered under the auspices of the Self-Support Program, i.e., Summer Session or Continuing Education. Any program which does not meet these conditions may not use any University facilities or have any other University support, nor may such a program represent itself as related to the University in any manner. See also p. 32

D. Faculty Office Hours

It is the responsibility of every member of the faculty to be available to meet student needs. The minimum schedule for full-time faculty is five office hours a week spaced over a minimum of three days. Part-time faculty are required to schedule one office hour a week for each three equated units of teaching load or major fraction thereof. **Scheduling by appointment only does not constitute fulfillment of the requirement.** Exceptions must be approved by the Dean of the School.

Summer School faculty shall schedule regular office hours of at least one-half hour on each day of the week on which they meet a class.

E. Teaching Assignments

The Department Chairperson is responsible for scheduling assignments for the members of the Departmental faculty.

In making such assignments, the Department Chairperson will take into consideration other University responsibilities of the faculty member concerned, the nature of the subject matter involved, the needs of the Department, its educational program, and all applicable State law. The School Dean's approval of a Departmental schedule of assignments constitutes certification that an appropriate workweek is scheduled for each faculty member employed during the specific semester or summer term concerned. Thereafter, the signature of the Department Chairperson on the monthly payroll certifies that scheduled workweek obligations have been fulfilled.

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Each faculty member is expected to be available for teaching assignments during any part of the week, during any nine-hour span between the hours of 8:00 a.m. and 10:00 p.m. It is understood that in developing the schedule, a late evening assignment should not be followed by an early morning assignment, although exceptions may be made for cause. Both the School Dean and the Vice President for Academic Affairs shall be consulted before "exceptions for cause" are granted.

The following guidelines are to be followed by the Department Chairperson:

1. Departmental course schedules must harmonize with other schedules in the total schedule of classes for the University.
2. A faculty member shall not be required or permitted to accept excessive teaching loads on any one or two days, but a reasonable distribution shall be maintained.
3. Bizarre or punitive schedules shall not be permitted — but no single semester of inconveniences will be accepted as evidence of "punitive" scheduling.
4. Within the flexibility of the schedule, the faculty member shall exercise personal choice and every effort shall be made to accommodate the faculty so long as no unreasonable disadvantage to the students or colleagues is involved.
5. Faculty members shall be assigned courses they are competent to teach, for example, by reason of graduate training or other professional experience.
6. Courses shall be assigned in a manner to avoid unreasonable inequities of teaching load within the department.

F. Classroom Rights and Prerogatives

1. **Outside Speakers in Classrooms**

A faculty member may refuse to permit outside speakers to address a class. Speakers who are permitted to address classes should be competent in their field and their address should be limited to the subject of the course in question.

2. **Use of Tape Recorders by Students in the Classroom**

Students may use tape recorders in a classroom only with the permission of the individual instructor. It is expected that instructors will extend this courtesy to the physically handicapped student, especially the blind.

3. **Dismissal from the Classroom**

A faculty member may request a student to immediately leave the classroom when the student is involved in inappropriate conduct, including but not limited to disruption of normal classroom proceedings, physical abuse or the threat of physical abuse to the faculty member, the faculty member's family or any other member of the class, unauthorized presence in the classroom, and indecent or obscene behavior. Should a student refuse to comply with such a request, the matter should immediately be referred to the Judicial Affairs Office in the Dean of Students' Office, Administration Annex 132 (Ext. 4181). In addition, all instances of dismissal from the classroom should be reported to the above offices as soon as possible.

Other problems of misconduct, such as plagiarism, cheating, etc., may be handled at the discretion of the individual faculty member within the guidelines of campus regulations, or may be referred to the Dean of Students' Office. This office can also advise instructors on disciplinary problems and provide relevant statements of University policy.

4. **Smoking Policy**

Smoking is forbidden in elevators at all times; it is allowed in classrooms, laboratories and lecture halls only by unanimous consent of the faculty member and all those in that particular class; a single objection constitutes prohibition.

When smoking is prohibited in a given area, the faculty member must allow a smoking break outside the area of at least ten minutes every ninety minutes. Students must provide their own ashtrays when smoking is allowed in classrooms.

The faculty member should seek to resolve any problems arising as a result of this smoking policy in consultation with the Department Chairperson.

G. Research and Creative Activity

Through the Office of the Dean of Graduate Studies and Research, the University encourages the participation of faculty members in research and creative activities as a necessary and traditional concomitant in bringing quality teaching to graduate and undergraduate students. The University wishes to assist such activities to the extent that resources can be provided by the State of California or can be obtained through grants and contracts from federal agencies, private foundations, and community sources.

The Dean of Graduate Studies and Research endeavors to provide facilitative services and a stimulating atmosphere for the campus graduate and research efforts. He assists in securing external funding from available sources, and all proposals involving outside funding from federal, state, community, and private sources shall have his endorsement on behalf of the University before being sent from campus. Both the Graduate Dean and the Director of Research work closely with the School Deans, the University Research Committee, the CSULB Foundation, the organized research centers, and individual faculty members in promoting the interests of faculty in research/creative activity and in proposal development.

The University Research Committee of the Academic Senate also seeks to assist the faculty member in scholarly endeavors, advises on matters relating to University policy on research and creative activities, and makes recommendations for some of the awards granted in intra-University competitions.

Several University and System-wide programs provide resources for instructional and research grants. These include the President's Instructional Innovative Grant Fund and the Chancellor's Innovative Grant Fund (for information contact the Administrative Assistant to the Vice President for Academic Affairs, Room 103, Administration Building, Ext. 4128) and Faculty Creative and Research Grants funded by the University Foundation (for information contact the Chairperson of the University Research Committee, Academic Senate Office, Room 136, Administration Annex, Ext. 4149).

A guidebook describing details of proposal preparation and files of information on other support sources can be examined in the Graduate Office (Library E-112). An internal route sheet which must accompany all proposals for outside funding is also available. In addition, this office has information on research-related matters and University policy statements such as the following: patent agreements; copyright procedures; treatment of human subjects in research; care and treatment of laboratory animals; reimbursed-released time; organization and operation of centers for research and special programs; overload payment; conflict of interest; prohibition of off-campus bank accounts for University-related activities; acceptance of gifts; and the Chancellor's Executive Order No. 168 on Administration of Grants and Contracts.

Because of the School and University clearances involved, it is essential that there be sufficient lead time for proper review of proposals. It is therefore desirable that a faculty member submit to the Dean of Graduate Studies and Research a completed final-copy proposal for off-campus support **at least two weeks prior to the deadline of the funding agency.**

H. Employment by the Foundation

Compensation for any full-time campus employee who is employed by the Foundation on other than a reimbursed basis in an administrative, consulting, or other capacity related to a special project operated under the Foundation will normally be based on the employee's regular salary rate. Such rates are comparable to those paid in Continuing Education and Summer Session. For further information contact the Executive Vice President, CSULB Foundation, Ext. 5195.

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I. Prohibition of Personal or Off-Campus Bank Accounts for University-Related Activities

It has long been the policy of this University that any funds handled on behalf of the institution or its programs be administered through the trust accounts of the California State University, Long Beach Foundation or the University Business Office.

This University and the California State University and Colleges System requires that, when an individual is conducting, coordinating, managing, or otherwise directing any activity, clinic, conference, contract, extension course, project workshop, or any similar event, he or she will make prior arrangements with either the California State University, Long Beach Foundation (Ext. 5195) or the University Business Office (Ext. 4167) for assistance in preparing a proper budget, depositing all funds, accounting for all disbursements, and maintaining financial overview of the operation of any such event.

No outside bank accounts may be established and no individual may sign off personally other than on documents approved by either the Foundation or the Business Office.

These rules prevail whenever State facilities are utilized, the name of the University is used, or the identification of the participants relates in any way to the University.

Deans, Department Chairpersons, and office directors are responsible for the enforcement of these requirements within their respective jurisdictions.

J. Patent Policy

There is a voluntary patent agreement between the CSULB Foundation and the Research Corporation of New York City for the purpose of processing applications for patents based on ideas and inventions which arise during the course of faculty research and creative activity. This agreement spells out the benefits to the inventor and the Foundation in cases where a patent is awarded with subsequent commercial development.

Further information may be obtained from the Foundation Office, Room 106, Administration Building (Ext. 5195) or from the Office of Graduate Studies and Research, Library E-112 (Ext. 5314).

K. Research Centers

There is a document entitled, "Guidelines for Organization and Operation of Centers for Research and Special Programs." Copies are available in the Office of Graduate Studies and Research (Ext. 5314).

L. Use of Human Subjects in Research

The following University policy provides guidelines for research projects supported by outside agencies, as well as by University resources, which use human subjects:

1. No experiment is permitted which, in the opinion of the University Research Committee, has any short or long-term injurious effects on the subject involved.
2. It is the researcher's responsibility to ascertain that no part of the research is contrary to existing laws. Where proposed research includes projects which are normally prohibited by existing laws, the researcher must obtain the necessary waivers, permits, or immunity from prosecution before initiating the project.
3. Subject participation in any single experiment is voluntary. Any student who does not participate shall not be penalized.
4. Experiments which involve stressful physical stimuli, such as drugs, shock, cold water, etc., or psychological stress, must be identified to the potential subject before his or her participation is elicited. Experiments which involve physical or psychological stress must be cleared through the University Research Committee. The subject must be informed before the experiment begins that he or she can terminate participation at any time with no personal loss.
5. Experiments which do not involve physical stimuli or psychological stress and do not require the subject to identify himself, or herself, such as educational supervision, and which may be performed with no hazard or injurious effects on the subject are permissible. However, the identities of the subjects must be kept private and, whenever possible, attempts should be made to translate names into coded numbers.
6. To protect the anonymity of the subject, experiments which involve personality, intelligence, or attitude tests and which require the subject to identify himself or herself (name, number, etc.), must be preceded by a signed statement from the subject indicating that he or she agrees to allow this data to be used for scientific purposes. The test data coming from these experiments must be kept absolutely private and, wherever possible, attempts should be made to translate names into coded numbers.
7. In no case should an experiment be harmful to a subject. But, if, as a condition of the experiment, the subject is deliberately misinformed or led to believe anything other than the truth, he or she must be informed of the truth at the end of the experiment and shall have the privilege of requiring withdrawal or destruction of data derived from his or her participation.

For further information on research involving human subjects and laboratory animals, contact the Office of the Dean of Graduate Studies and Research, Library E-112 (Ext. 5314).

M. Acquisition of Archeological and Art Objects

The University has a policy on the acquisition of works of art and antiquities, whether by gift, bequest, purchase, or through the activities of scientific or archeological expeditions which states, in part, that the University will not acquire objects in any case where there is reasonable cause to believe that the recovery, ownership, or transmittal involves any illegality. This applies to objects collected both in and outside the United States.

If the University should come into the possession of an object that can be demonstrated to have been exported or acquired in violation of the principles expressed in the policy, the University will, if legally and fiscally able to do so, seek to return the object to the donor or vendor, or to the proper owner or nation as found appropriate.

Prior to making any commitment to the acceptance of archeological and art objects, a faculty member should refer to the full policy statement which can be found in the University Policy File and consult the Dean of Graduate Studies and Research.

N. Grading Procedures

1. General Policy

Grade assignments should be based solely on student performance in the course. It is the responsibility of the instructor to employ dependable methods of evaluation of the work of the student.

University policy requires that final grades be based on at least three, but preferably four or more demonstrations of competence by the student, and in no case should the grade on the final examination count for more than one-third of the course grade.

Faculty members are expected to provide students with an opportunity to demonstrate competence, relevant to the determination of the final course grade, as early as is reasonable and no later than mid-point in the semester or summer session.

Faculty members are expected to keep a record of students' scores on each of the demonstrations of competence on which the final grade is based.

Students have a right to see their examinations and to be informed promptly of their scores on each of these demonstrations of competence. Faculty members are also expected to inform students during the first week of instruction what grading policies and practices will be used in the class.

Final examinations are required in all courses for all students, except in certain activity courses or when the Dean of the School authorizes an exception.

2. Distribution of Final Grades

There are no fixed rules specifying percentages for distribution of final grades; distribution is left to the good judgment and conscience of the faculty member. Final grade distribution is continually studied. For further information and guidance on final grade distribution, faculty members should contact their Department Chairperson or the Dean of their School.

3. Reporting of Final Grades

Grade sheets are distributed to faculty before the end of each session with instructions concerning the reporting of grades. Final grades should be submitted 48 hours after administering the final examination, and in no case later than the posted deadline. Reports of final grades are mailed to each student at the end of each session.

4. Change of Grade

In general, a change in grade is not permitted after it has been recorded. However, if the faculty member has made an error in computing or copying the grade, a correction should be made and appropriate forms are available for this purpose in departmental offices or in the Registrar's Office. These forms must be signed by the faculty member, Department Chairperson, and the Dean of the School approving such a grade change.

For procedures concerning academic probation and dismissal, repetition of courses, and readmission after dismissal of a student, see the current edition of the Undergraduate Study Bulletin.

5. Grading Symbols

There are five grades which indicate successful completion of the course and the work assigned in it: A (excellent); B (above average); C (average); D (below average); and CR (credit-evaluation of work at A, B, or C level of competence in courses such as student teaching, supervisory and field work). If a student does not successfully complete a course, a grade of F (failing) will be assigned, or a grade of NC (no credit) if the student requested to be graded on the credit/no credit basis.

Credit-No Credit Grading*

Grading Symbols: CSULB adopted the grades of "CR" and "NC" to supplement A, B, C, D, F. The grade of CR (credit) shall be equivalent to the traditional grades of A, B or C; and the grade of NC (no credit) shall be equivalent to the traditional grades of D or F. Grades of CR and NC will not count toward a student's gradepoint average, but they will enter into calculations determining a student's scholastic standing, according to the regulations of the Board of Trustees.

Student Options: Subject to limitations imposed by University or Department policies, students may be graded CR/NC in any course or courses of their choice. That decision must be made by the end of the fourth week of instruction, after which the decision is irreversible.

University Limitations: No student may elect more than a total of 24 units in residence, more than 12 units of upper division courses (that is, courses numbered 300 through 499), or more than 8 units per semester, or 4 units per summer on a CR/NC basis. These numerical limitations shall specifically not include courses for which credit is earned by examination, courses taken at another institution, or courses at CSULB uniformly given to all students on a CR/NC basis. Units taken under the previous Pass/Fail Policy will count toward the total of 24 CR/NC units.

Department Limitations: A Department may declare a course or a section of a course limited to CR/NC grading or to ABCDF grading only upon justification of such restriction in terms of the subject matter and educational method of the course, as these may be further specified at the School level. Approval at the School level shall be required, and the Records Office informed of any limitations approved.

For each course to be limited to CR/NC grading or to **ABCDF** grading:

(a) There must be adequate notification to the student of the grading restriction (e.g., in the **Schedule of Classes).**

(b) Other departments and programs which use the course must be suitably warned that the course (or section of the course) will have grading restrictions. If a course to be limited to CR/NC grading is required of majors in other disciplines which require majors to show ABCDF grades in all required courses, there must be sufficient alternative sections or courses available in which ABCDF grades may be received.

*For undergraduates only. For graduate students, see the Graduate Bulletin.

(c) If the course will be CR/NC grading only, and if it will be available to graduate students, arrangements must be made for them either to use CR/NC grades or to receive traditional grades in spite of the grading restriction.

(d) An evaluation to determine whether the educational objectives of the new grading techniques have been achieved shall be made. The results of the evaluation shall be reviewed by the School Curriculum Committee.

Department Obligations: A department or inter-departmental program is obligated to inform students in its classes of policies controlling CR/NC grading, to provide counseling on the advantages and disadvantages of CR/NC grading, and to aid the Records Office in ensuring that students properly enrolled for CR/NC grading do in fact receive grades of CR or NC.

Evaluation: The University is evaluating the non-traditional grading system. This evaluation includes but is not limited to assessments of the following:

- An evaluation of students enrolled for CR/NC grading, such data as age, class, major, prior and present experience with non-traditional grading, and reasons for electing CR/NC grading.
- Correlation of these data with A, B, C, D and F grades assigned.

Additional levels of assessment are planned throughout a two- to four-year period.

Implementing Procedures

Registration: Before the deadline in any semester or session, a student files with the Records Office a card on which he or she has:

- Listed any course(s) in which he or she elects CR/NC grading.
- Obtained approval from the Department offering the course, and from his or her major department or interdepartmental program.
- Certified his or her awareness that CR/NC grading may not be acceptable to certain prospective employers, graduate schools, or undergraduate programs; that CSULB will not convert CR/NC grades in ABCDF equivalents; and that his or her units graded NC must be balanced by an equal number of units graded A, or twice as many units graded B, to avoid academic probation.
- Supplied other confidential information, as requested by the University.

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Recording of Final Grades: Final grade sheets from the Registrar are issued with two columns for entering final grades and coded indications of which students have elected CR/NC grading. Faculty members may enter only ABCDF grades in the appropriate column if they wish. It shall be the responsibility of the Records Office to see that grades of CR or NC are entered in the other column, for transcript purposes, whether these entries are made by the faculty member, the Department, or the Records Office itself.

Counseling: CSULB attempts to ensure that students receive adequate counseling with respect to non-traditional grading, by the following means:

- By publicizing the advantages and disadvantages of CR/NC grading.
- By requiring departmental approval of students' election of CR/NC grading.
- By offering counseling (through academic Departments and the Counseling Center) for those students who request it.
- By requiring counseling as a condition of academic probation.
- By holding Departments responsible for publicizing their policies on CR/NC grading.
- By publishing in the Schedule of Classes information relating to availability of CR/NC grading in specific classes.

6. Administrative Symbols

a. Audit (AU): Enrollment as an auditor is subject to the permission of the instructor and only after students otherwise eligible to enroll in the course on a credit basis have had an opportunity to do so. Auditors are subject to the same fee structure as credit students and regular class attendance is expected. A student may change from audit to credit status only if a change is requested prior to the last day to add classes.

A student who wishes to audit a course must file an Audit Card in the Records Office after the end of the regular registration period and by the last day to add classes.

b. Incomplete (I): The I symbol signifies that a portion of required course work has not been completed and evaluated in the prescribed time period due to unforeseen, but fully justified, reasons and that there is still a possibility of earning credit. It is the responsibility of the student to bring pertinent information to the faculty member and to reach agreement on the means by which the remaining course requirements will be satisfied. **Agreement as to the conditions for removal of the incomplete shall be reduced to writing by the instructor. One copy of the agreement is to be given to the student and one copy is to be filed with the Department Chairperson.** A final grade is assigned when the work agreed upon has been completed and evaluated.

An Incomplete must be made up within one calendar year immediately following the end of the term on which it was assigned. This limitation prevails whether or not a student maintains continuous enrollment. Failure to complete the assigned work will result in an Incomplete being counted as equivalent to an F for grade point computation. Any extension of this time period must receive prior approval of the Department Chairperson.

c. Report Delayed (RD): The RD symbol may be used only in those cases where a delay in the reporting of a grade is due to circumstances beyond the control of the student. The symbol is assigned by the Registrar when the faculty member's grades are not available and must be replaced by a more appropriate grading symbol as soon as possible. An RD is not included in calculations of grade point average.

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d. Satisfactory Progress (SP): The SP symbol is used to record progress in courses that extend beyond one academic term. The symbol indicates that work in progress has been evaluated as satisfactory to date but that the assignment of a precise grade must await the completion of additional course work. Cumulative enrollment in units attempted may not exceed the total number applicable to the student's educational objective. All work is to be completed within one calendar year of the date of first enrollment (or a stipulated time period for graduate students) and a final grade is to be assigned to all segments of the course on the basis of overall quality. Any extension of this time period must receive prior authorization by the Dean of the School.

e. Withdrawal (W): The symbol W indicates that the student was permitted to drop a course after the fourth week of instruction with the approval of the instructor and appropriate campus officials. It carries no connotation of quality of student performance and is not used in calculating grade point average.

The student is held responsible for completion of every course in which he or she registers. Application for withdrawal from the University or from a class must be officially filed by the student at the Records Office whether he or she has ever attended the class or not; otherwise, the student will receive a grade of F in the course. Application for withdrawal is made at the Records Office or, in the evening, at the Evening Services center in the library.

- **Withdrawals during the first four weeks of instruction.** A student may withdraw without prejudice and the course will not appear on his or her permanent records during this period. To do this a student must file a Complete Withdrawal Application to drop all classes or a Change of Program Card for a specific class or classes along with a Request to Withdraw from a Class Card for every class dropped.

- **Withdrawals after the fourth week of instruction and no later than the 12th week of instruction.** Drops during this period are permissible only for serious or compelling reasons. The procedure for withdrawals during this period are the same as above except that **the approval signatures of the instructor and Department Chairpersons are required.** The requests and approvals shall state the reasons for the withdrawal. Copies of such approvals are kept on file in the Records Office.
- **Withdrawals after the 12th week of instruction.** Withdrawals after the 12th week are **not permitted** except in cases such as accident or serious illness where the circumstances causing the withdrawal are clearly beyond the student's control and the assignment of an incomplete is not practical. Ordinarily, withdrawals in this category will involve total withdrawal from the campus except that credit or an incomplete may be assigned for courses in which sufficient work has been completed to permit an evaluation to be made. Request for permission to withdraw under these circumstances must be made in writing on forms available at the Records Office. The requests and approvals shall state the reasons for the withdrawal. **These requests must be approved by the instructor, Department Chairperson and Dean of the School.** Copies of such approvals are kept on file in the Records Office.
- **Medical withdrawals.** A student who becomes seriously ill or is hospitalized and hence is unable to complete the academic term may withdraw by submitting a written request for withdrawal to the Records Office and at the same time submitting a statement obtained from the University Health Center that the student must withdraw for medical reasons. When the University Health Center so certifies, the student will be withdrawn without prejudice.
- **Unofficial withdrawals.** A student withdrawing unofficially from a class or from the University will receive failing grades in all courses which he or she stops attending. An unofficial withdrawal is one in which a student stops attending classes without filing official withdrawal forms.
- **Instructor withdrawals.** A faculty member may withdraw a student who has never attended a class within the first four weeks of instruction by forwarding a drop card to the Records Office. Students, however, should not rely on the instructor's doing this and should officially withdraw from classes themselves to avoid getting F's on their records.

  A faculty member may also withdraw a student who has enrolled in a course requiring "Instructor Permission" if the student has not properly secured this permission before enrolling.

  Grades reported to the Records Office are official. Correction of grades can be made only by the faculty member on the basis of clerical error or grade appeal.

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7. Grade Point Computation

The scholarship average is obtained by dividing the total number of grade points by the total number of units completed with grades A, B, C, D, or F. Grade points are determined on the following basis:

A receives 4 points a unit;
B receives 3 points a unit;
C receives 2 points a unit;
D receives 1 point a unit;
F receives 0 points a unit;
Symbols of AU (Audit), P (Pass), RD (Report Delayed), SP (Satisfactory Progress) and W (Withdrawal) are not used in grade point computation.
Grades earned at another institution may **not** offset grade point deficiencies in courses taken at this University.

8. Progress Point Computation

In order to insure satisfactory progress toward completion of a chosen academic objective, the Board of Trustees has adopted a system of progress points. A student must earn twice as many progress points as units attempted. In calculating progress points, A, B, C, D, and F count their respective grade points; CR counts 2 points per unit and NC counts zero points per unit. In calculating units

attempted, only those units will be counted for which a student receives a grade of A, B, C, D, F, CR or NC. Classes in which a student receives a mark of I or W do not enter into these calculations until one year after an I is assigned, after which time the I will be treated as an F.

O. Grade Appeals (Undergraduates)

Students have the right to appeal their final grades, and only their final grades, in any course. The basis of appeal is the claim that the grade was prejudicially, capriciously, or unjustly assigned. Such an appeal must be initiated by the student who claims to be aggrieved within the first regular semester after the assignment of the grade in question, and the appeal, either orally or in writing, must first be directed to the faculty member who taught the course. If further action is deemed necessary, the student should next direct an appeal to the Department Chairperson, or to such persons as may be designated departmental representatives in grade appeal matters. If the issue remains unresolved, the student may direct an appeal to a grade appeals committee of the School concerned. If the faculty member is not prepared to change the grade at this stage, the grade appeals committee shall have the power to change the grade.

Information about School grade appeals committees can be obtained from the Office of the Dean of each School.

For a full statement of the grade appeals policy for undergraduates, please refer to the University Policy File.

P. Grade Appeals and Grievance Procedures for Graduate Students

For information on graduate grade appeals and grievance procedures contact the Office of the Dean of Graduate Studies and Research, Library E-112 (ext. 5314).

Q. Acceleration of University Studies (Credit or Waiver by Examination)

The University provides several means by which students may accelerate their college studies, such as by waiver of course requirement, credit by examination, advanced placement, and college credit earned prior to graduation. These are explained in greater detail in the current Undergraduate Study Bulletin, where it is also pointed out that the above options may be subject to departmental restrictions and regulations. The rights and limits of Departments relative to procedures they may wish to adopt should be governed by the following policies:

1. Each Department will adopt a policy statement on credit or waiver by examination, consistent with state law and the governing rules of the University, and will make such a statement available to students. In the absence of a policy statement, the University will presume that all of the courses offered by a given Department are available for credit or waiver by examination.
2. No Department will be expected to offer credit or waiver by examination in any courses in which the content or procedure is deemed academically unsuitable to such examination.
3. No Department will be expected to offer credit or waiver by examination for which the Department and its faculty and staff are not in some way reimbursed, for example, by staffing formula credit, assigned time, extension or fees.

R. Joint Doctoral Degree

Upon completion of the appropriate campus and Chancellor's Office processes, joint doctoral degrees may be developed with the University of California and private universities in California contingent upon the availability of adequate funding.

For further information and procedures, see the Dean of Graduate Studies and Research, Library E-112 (Ext. 5314).

Student Relations

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A. Advising and Discipline

A faculty member's primary duty toward students, in addition to activities directly related to the classroom, consists of advising in the development of the student's academic programs, career plans, and personal advice when appropriate. When faculty members encounter students with personal problems requiring specialized assistance, they should refer the individual to the appropriate department in the Student Affairs Division.

For example, a request for assistance regarding a student's choice of major or future vocation may be referred to the Office of **Career Planning and Placement,** Room E-103, Library (Ext. 4151); the **Counseling Center,** Room 203, Administration Annex (Ext. 4001); or the **Testing Office,** Room 206, Administration Annex (Ext. 4006). The **Learning Assistance Center,** Library East Wing (Ext. 5350) treats matters regarding the improvement of academic effectiveness and other self-exploratory and personal development matters. The Counseling Center is continually available for referral of students when a faculty member believes a student to have a problem of an emotional nature. Emergency health problems which arise on campus or in class should immediately be referred to the **Health Service,** State University Drive (Ext. 4771).

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There are also special supportive services available to groups which may require special attention and guidance, such as **handicapped students** (Ext. 5361), **veterans** (Ext. 4347), **ethnic minorities** (Ext. 5292), and **foreign students** (Ext. 4106), and more detailed information may be obtained at respective offices whose telephone extensions are listed, or from the Office of the Executive — Student Affairs: Dean of Students, Room 132, Administration Annex (Ext. 4181).

A faculty member may exclude from a class any student whose preparation for the course is inadequate. Problems of misconduct on campus and in the classroom may either be handled directly by the faculty member in accord with procedures established in the School, or may be referred to the Judicial Affairs Office in the Dean of Students Division. This office can also advise instructors in connection with other problems of student discipline (e.g., harassment, etc.), and relevant statements of University policy and regulations regarding disciplinary matters can be obtained either there or in the University Policy File. Faculty members should also be aware of student grievance procedures and grade appeals system for their Department and School.

B. University Policy Relating to Students and Student Organizations

Other University-wide policies relating to students and student organizations are available either through the various offices of the Executive — Student Affairs: Dean of Students (who has the responsibility for their interpretation and implementation) or in the University Policy File.

The introduction to the document "Regulations, Policies and Information," which compiles University and System policies concerning students states:

As the campus population density increases, individual freedom and the rights of individuals are maintained through the adoption and by the observance of regulations. On the campus at CSULB, an effort is made to keep these regulations to a minimum, to insure freedom of expression and of movement while providing for the rights of privacy, as well as the maintenance of the University as a suitable environment for higher education.

Further information on student organizations is available in a publication, "Recognition of Student Associations," and can be obtained along with full statements of policies and regulations relating to students, from the Office of the Executive — Student Affairs: Dean of Students, Room 132, Administration Annex (Ext. 4181).

Benefits, Services and Facilities

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A. Fringe Benefits

1. Credit Unions

Credit union facilities include the Long Beach School Employees Federal Credit Union which is available to any employee of CSULB, and credit unions affiliated with several professional organizations such as the California Colleges and University Faculty Association and the United Professors of California. For further information contact the Long Beach School Employees Federal Credit Union, 4341 East 10th Street, Long Beach (438-9961) or the officers of the respective organization.

2. Insurance

All permanent employees appointed for nine months or more on a one-half time or more basis are eligible to enroll in insurance programs. An eligible employee who enrolls in a plan sponsored by an employee organization must be a member in good standing and must maintain membership in the sponsoring employee organization to retain enrollment.

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The State University and Colleges insurance program includes the following kinds of insurance: Life, Basic Hospital and Medical, Major Medical, Disability Income, and Accident.

The State has a direct interest in the Hospital-Medical Plan which is referred to as the basic health benefits plan, plus the Major Medical Plan, and currently contributes toward the cost after the employee has served six months. The State also provides a fully paid $5,000 group term life insurance program.

For detailed information and instructions on insurance programs, sick leave, death and retirement benefits, and the tax-sheltered annuity plan, contact the Health Benefits Officer, Payroll Office, Library E-107 (Ext. 4164).

B. Campus Facilities,Procedures for Scheduling

The Executive — Student Affairs: Dean of Students, with the assistance of the Associate Dean for Student Affairs, is responsible for interpreting the campus regulation on "Use of State University Buildings and Grounds." With the guidance of the Student Affairs Council, the Associate Dean is responsible for the initial interpretation of policy for the scheduling of all events on campus, with the exception of classes and events scheduled by administrative units.

Information about all events scheduled on campus should go to the Master Calendar, which is located at the Scheduling Desk at the University Union (Ext. 5205). The Union Director is responsible for scheduling services.

Full detailed information regarding specific scheduling procedures, registration for use of campus facilities, application forms, etc., can be obtained from the Scheduling Desk, University Union (Ext. 5205).

Requests for scheduling of the Little Theatre, the Studio Theatre, or other Fine Arts facilities should be directed to the Office of the School of Fine Arts, FA3-100 (Ext. 4364).

Requests and information regarding the scheduling and use of Physical Education Facilities should be directed to the Office of Facilities Coordinator, P.E. 207 (Ext. 4093).

For information regarding classroom and instructional facilities, as well as the use of classroom facilities for other than regular instructional use, contact the Office of the Scheduling Coordinator, Library E-114 (Ext. 4178).

C. Purchasing

There is a requisition form which must be used to order all material and services on behalf of the University, and the University's commitment must be authorized by approval of the Purchasing Officer prior to the purchase. **Unauthorized purchases or service charges will be the personal liability of the individual placing the order with the vendor.** If there are questions regarding the purchasing procedures, contact the Director of Purchasing (Ext. 4296).

D. Travel

Faculty may engage in a limited amount of in-state or out-of-state travel at state expense, dependent on available funds budgeted to each school for that purpose.

The approval of the School Dean is necessary prior to any travel at State expense or on State time. For travel outside a fifty-mile radius of the campus, faculty members must submit a travel authorization request form, available through the Departmental secretary. State regulations prohibit payment of travel expense claims without such prior approval.

Further information regarding required justification of travel requests and specific levels of funding for travel is available to faculty members in their respective Departments.

E. State Cars

Reservations for a State car for official use should be made well in advance through the Maintenance Office (Ext. 4871).

To use a State car, the driver must complete the Defensive Driving Test and obtain a Defensive Driver's Permit; the driver must also have a valid California Operator's License. For further information regarding procedures for taking the Defensive Driving Test, contact the University Police Office (Ext. 4101).

For trips byeond a fifty-mile radius, a travel authorization form signed by the Department Chairperson and Dean of the School must be submitted. Preference in allocation of pool cars depends on the length of the trip.

Travel logs, credit cards, insurance forms, maps, etc., are located in the glove compartment of each vehicle, and entries in the travel log must be made promptly.

Accidents or incidents which may result in a claim against the State must be reported immediately to the Maintenance Office (Ext. 4871).

Employees are required at all times to use the safety belts provided in State vehicles.

A member of the faculty driving a State car within the scope and intent of his duties is covered by the State's motor vehicle insurance policy. In the event of any accident, involving a state car, the Business Manager at the University should be immediately notified. The Business Manager is Arthur Suguitan, whose office is located at Administration 127, and the office telephone number is 4161.

F. Parking and Traffic Control

Changes in parking regulations occur so frequently that it is impractical to attempt to keep them up to date in this Handbook. When changes do occur, they are published in the weekly **University Bulletin.** Additional information regarding parking fees, card keys, parking regulations and traffic control may be obtained from the University Police Office (Ext. 4101).

G. Driver Education Class

Faculty and staff members are invited to enroll their high school age children in the University Driver Education Laboratory Class. Participants must be under 21 years of age, have a valid California Instruction Permit, and have completed the classroom Driver Education program in a secondary school prior to acceptance in the CSULB program. Eleven two-hour instructional sessions in the Driving Simulator Laboratory and in dual control cars are offered one afternoon a week during the regular school year. A copy of **A Guide for In-Car Instruction** is required and can be purchased at the University Bookstore. There is a $10 fee payable at the Orientation Meeting, on the Saturday morning prior to the start of instruction. Contact the Health Science Department Office, P.E. 215 (Ext. 4057) for applications and further information.

H. Publicity, News Releases, Public Statements, and Speakers' Bureau

The Office of Public Information/News Services, Room 130, Administration Annex, (Ext. 4156), is available to assist the faculty and staff with the efficient and accurate communication of information of interest to the public. Public statements or news releases are issued by this office on official University news release forms. This office should be involved in the preparation of any official public statement.

The Manager of News Services is also available for consultation to any member of the faculty or staff invited to make a statement, personal appearance, or otherwise participate in radio, television or other media activities. Promotional and publicity advice and assistance for University programs and events is also available.

In general, a faculty member is free to act as a private citizen at any time, merely being careful to point out that he or she is not speaking for the University. University affiliation should not be utilized in activities unrelated to the institution, such as political and commercial endorsements, etc.

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Speakers Bureau. The Office of University Relations, Room 201, Administration Annex (Ext. 4194), conducts a Speakers Bureau Program as a public service to clubs and organizations in the surrounding communities.

The program offered includes topical and historical presentations by distinguished members of the University faculty. Also, University Relations has members of the faculty and administration available to present a program based on the accomplishments and goals of the University. A ½ hour 16mm movie is available for such a program.

No honoraria are offered for participation in the Speakers Bureau Program, but there is an excellent opportunity for members of the faculty to share their knowledge with attentive and inquisitive members of the community.

Persons interested in participating in the program should contact the Office of University Relations (Ext. 4194).

I. Recreational Opportunities on Campus

Recreational facilities are generally available to faculty in the Physical Education building and on the field during hours when classes are not in session.

General hours are scheduled for faculty use during the Fall and Spring semesters. They are: 12:00 noon - 1:00 p.m. and 3:00 - 5:00 p.m., Monday through Friday, closed on weekends. Activities and facilities include basketball and volleyball in the Men's Gym and on outdoor courts, weight training, swimming, tennis, handball, and golf driving range.

Summer recreation hours are 11:00 a.m. to 1:00 p.m., Monday through Friday, involving the same activities as above. Summer swimming is from 12:00 noon - 2:00 p.m., Monday through Friday. Faculty may bring their families to use the pool. Children who have not yet learned to swim must be accompanied by a parent.

Faculty members may check out sports equipment by presenting their faculty card at the Outside Issue Room located behind the Women's Gym. All equipment must be returned by 4:45 p.m. Questions may be directed to the Facilities Coordinator, Office P.E. 207 (Ext. 4093).

Another program for women faculty and staff is the Slim-N-Trim class offered on Mondays, 5:00 - 7:00 p.m. in P.E. 93. Anyone interested should contact the Women's Physical Education Office P.E. 223 (Ext. 4061).

Men's Intramurals offers competitive sports throughout the year. Faculty are welcome to participate by forming a faculty team and entering the sport of their choice.

Competition against students is offered in team, dual, and individual sports. Anyone interested should contact the Office of the Director of Intramurals, P.E. 21 (Ext. 4668).

A faculty Health Club is offered each semester by the Men's Physical Education Department. If interested, contact the Men's Physical Education Department Office, P.E. 201 (Ext. 4051).

J. Computer Center

The University has a digital batch computer facility on campus, and through a data communications network, has access to other California State University and Colleges (CSUC) campuses, the State University Data Center (SUDC), and the University of California, Los Angeles (UCLA). Timesharing through the CSUC Timesharing Center is also available.

The Computer Center at CSULB has a moderate library of general computer programs in areas of engineering, business, mathematics and social sciences. Among these programs are business games, simulations, and Biomedical (BMD) Statistical System, the Statistical Package for Social Sciences (SPSS), etc. Workshops, statistics and programming consultations are offered by the Center. A "User Manual" is available which describes the facility, how to use it, and what services are provided. Further questions should be directed to the Director of Data Processing and Information Systems, or User Services, FO-1, Room 16 (Ext. 4401-4193).

K. Duplicating and Word Processing Center Services

Copying facilities for University-related business are located in various offices throughout the campus, and faculty members should consult with the appropriate Departmental secretary for necessary information as to location and procedures.

To meet non-University related copying needs, the Forty-Niner Shops provide coin-operated copying machines in the Library and Bookstore.

There is also a University Duplicating Center which is available to the instructional and administrative areas for official University business. It is especially designed to meet copying needs involving more than 10 copies per page. It is also equipped to reproduce line copy, collate, staple, cut, bind (spiral), fold, drill, and place address labels on various size envelopes and brochures.

There is also a Quick Copy Center, located within the Word Processing Center (see below), which can reproduce line copy on an automatic offset press on a "while-you-wait" basis.

The Word Processing Center, LA3-102, is available to all areas for official University business. The workload is based upon established priorities: instructional material first, then auxiliary material, and research material last. The Center is equipped with Magnetic Tape Selectric Typewriters on which material can be typed for reproduction and stored on tape for future use, and a Magnetic Tape Selectric Composer with various size type that can be programmed for perfect right-hand margins. This system is used for many brochures and publications.

For further information, contact the Auxiliary Services Supervisor, LA3-102 (Ext. 4971).

L. Learning Resources

Learning Resources comprises the Audio Visual Center, the Multi-Media Center, Instructional Television Center, and the Learning Assistance Center. Information and assistance in developing courses which most effectively utilize the various media, either alone or in combination, is available from the Director of Learning Resources (Ext. 4962).

1. Audio Visual Center

The Audio Visual Center occupies the first floor of LA-1 and exists to aid faculty members in planning the best use of visual and audible means for enhancing instruction. Its services include:

a. The production of instructional materials for classroom use, such as charts, models, lettering, motion pictures, photographs, photocopies, recordings, and transparencies.

b. The loaning, delivery, and pickup of available equipment such as amplifiers, extension cords, microphones, photographic and projection equipment, radios, record players, tape recorders, teaching machines, television receivers, public address systems, and tachistoscopes. Material available for loan include films, filmstrips, records, slides, and tapes.

c. Arranging for the rental and purchase of audio visual materials for instructional use. The Center maintains a library of catalogs of film and other materials and will aid faculty in selecting and purchasing materials, either through its own budget or that of the Department requesting material. Although the Center has limited funding for the purchase of motion picture films, it will do all it can to obtain whatever is needed. All movement of film to and from the campus must be accomplished through the Center in order for the University to accept responsibility.

The Center is able to purchase only a limited amount of new and replacement AV equipment, and decisions in this regard are based upon need demonstrated by use. AV equipment purchased by the University budget units must be cleared by the AV Center to insure that it is compatible with existing equipment, maintainable at reasonable cost, and easy to operate.

d. The repair of all portable audio visual and TV equipment in use on campus. For further information, contact the Audio Visual Center (Ext. 4962).

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2. Instructional Television Center.

The Instructional Television Center is a unit of Learning Resources which provides consultation on planning the use of television in instruction, pre-production planning and production of live or taped programs, advice and approval of the purchase of TV equipment, a videotape library and playback equipment, and TV repair and maintenance services.

For aid in planning, purchase, arranging for TV production of academic course materials, and information on rooms wired for closed circuit TV, contact the Instructional TV Coordinator, FA1-201 (Ext. 4352). Information on other services is available through Learning Resources (Ext. 4962).

3. Multi-Media Center

There are two classrooms in the Multi-Media Center, each with fixed seating for 112 students and equipped with projection capability, including closed circuit and off-the-air TV receivers. All seats are equipped with computer mediated student response stations.

Planning aid and scheduling information is available from the Multi-Media Coordinator (Ext. 4025).

4. Learning Assistance Center

The Learning Assistance Center provides important support and delivery service for the entire campus community — students, faculty, staff, and administration. It serves individuals who want to acquire, improve, review, or maintain personal learning skills, students whose instructors have provided content material so that learning can occur at their own pace, time and place, and students who need help in overcoming particular difficulties in their instructional program. A tutorial service is also available.

The Center also offers programs in staff training and development, as well as modules for priming for standardized tests such as the URE, GRE, and those required for admission to law, medical, dental, and business administration schools, etc.

For further information, contact the Center, located on the 3rd floor, Library east wing (Ext. 5350).

M. University Library

Most books circulate to faculty until the end of the academic year; special materials have limited loan periods. All materials are subject to recall at any time. Faculty are not subject to fines, but must pay for lost items, plus a processing fee.

Reserve lists should be submitted as early as possible to avoid inconvenience to students. A formula, based on class population, for determining the number of copies to be purchased for reserve use, is available from the Library and is detailed in the **Library Faculty Handbook.**

Collection development is the joint responsibility of the faculty and the appropriate subject reference department. Requests are given to the Library via the Department Chairperson, or departmental Library representative.

Interlibrary loan service is available for materials not in the Library. The Library has a printed catalog of the UCLA collection, and provides courier service to UCLA for faculty requests.

The Library will pay the first $25.00 for the purchase of reprints of a faculty member's publication, retaining one copy for Library Archives.

The Library has an active program of bibliographic instruction for classes, keyed directly to the subject matter of the course being taught. Make arrangements with the appropriate subject reference department.

For further information, see the **Library Faculty Handbook,** or call the office of the Director of the University Library (Ext. 4047).

N. Bookstore

The campus bookstore provides the required and recommended books and supplies necessary for the students' educational program as well as general services for students, faculty, and staff.

It is operated primarily on a self-service basis, and all merchandise is competitively priced.

For specific information, please call:

Bookstore Director	Ext. 5092
Textbook Department	Ext. 5093
General Supply Department	Ext. 5095
General Book Department	Ext. 5097

O. Testing Service

The Testing Office functions as a service agency for the students and for the faculty and Departments. Services include: (1) admissions test programs; (2) assistance in construction and analyses of tests; (3) administration, scoring, and processing of special departmental test batteries; (4) assistance in the design and evaluation of institutional research problems; (5) administration of individual psychological assessment tests as referred by the Counseling Center; and (6) maintenance of a library and bibliography of educational and psychological measurement materials requested by faculty.

P. Health Service

The University Health Service is primarily for students and provides health and psychiatric counseling, emergency care and first-aid, outpatient care for illness or injury, immunizations, physical therapy, X-ray, laboratory work, and consultation in most medical specialties. Some routine medications also are provided.

The Health Service provides emergency care to faculty, staff, and visitors. Physical examinations are provided for faculty in connection with the faculty fitness program, and faculty members may arrange with the Health Service to receive recommended immunizations for foreign travel. The Service also provides for chest X-rays, and faculty members are urged to take advantage of this service, preferably at two-year intervals. There is no charge for these services.

The Health Service hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, when the University is in session. A registered nurse is on duty for emergency and first-aid care from 5:00 p.m. to 10:00 p.m., Monday through Thursday. Between semesters, during vacations, and during the Summer Sessions program, the Health Service is authorized to provide emergency care only, also only between the hours of 8:00 a.m. to 5:00 p.m. If a medical emergency occurs at a time when the Health Service is closed, emergency assistance will be arranged by the University Police (Ext. 4100).

Services not offered by the Health Service include treatment for major, complicated, severe illness or injury, and drugs other than routine medications. No off-campus calls are made any time.

The Health Service does not issue excuses for absence from class for illness. In case of injury, a reclassification will be given for Physical Education activity classes, and a readmission slip to activity classes may be obtained following recovery from an illness or injury, if requested.

A student who is unable to complete a semester because of illness or injury may withdraw by submitting to the Health Service a doctor's statement giving a
35 complete diagnosis of the illness or reason for hospitalization and the beginning date of the illness or hospitalization. Whether or not the withdrawal may be made without penalty is based on the University Physician's recommendation after he receives the above statement.

For further information regarding the Health Service, call Ext. 4771.

Q. Housing

Without provision to support a central housing office, the University can only assist new faculty in locating housing through the Department or School to which the new member is assigned. Occasionally the faculty member may be able to get assistance from the Student Housing Office, Room 134, Administration Annex (Ext. 4187) which maintains a listing of some available rooms, apartments, and houses within the area. Its primary responsibility, however, is for the operation and administration of the State-owned on-campus residence hall program, as well as for the coordination of the off-campus residence halls and the maintenance of a listing service for students. Frequently the weekly **University Bulletin** also contains individual listings. However, the best inventory of available housing is the classified section of the local newspapers.

During the summer months, the Student Housing Office operates a Fair Housing Outpost specifically to assist minority students, faculty, and staff in their search for accommodations in the Long Beach area.

During summer sessions only, faculty guest accommodations are available in the residence halls for $3.00 per person, and may be reserved in advance through the Student Housing Office.

R. Food Services

Food service on campus is provided by the Forty-Niner Shops and is a self-supporting operation.

In addition to the food service located in the University Union, there are four serving areas within the Cafeteria building: the Chart Room which is reserved for faculty and staff; the Scramble area, the Snack Bar, and the Fiesta Shop. There are also two food carts, one on each side of the Terrace Level of the Union, which serve fast service food items.

For further information, please contact the Food Service Office, Bookstore Annex (Ext. 4679/4694). Arrangements for banquets, luncheons and any other special food service can be made with the scheduling supervisor in the University Union office (Ext. 5205).

S. Maintenance Services

The Maintenance (Plant Operations) Office offers the following services: minor construction, including cabinetry; modification, maintenance, and repair of buildings and equipment; moving of property items; custodial services; and operation and maintenance of State cars. All services except the last named are obtainable by means of the "Request for Work Order" form, approved by the School Dean and sent directly to the Maintenance Department Office, 1331 Palo Verde Avenue. Requests are then directed to the proper administrative office for approval and funding prior to accomplishment. For information on State cars, see that heading in this Handbook.

T. Keys

Faculty and staff may obtain keys to classrooms, offices, desks, cabinets, etc., by presenting, in person, a key authorization card (properly filled out and approved) to the Maintenance Office, 1331 Palo Verde Avenue (Ext. 4871).

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Key authorization cards may be obtained from the Departmental secretary or the Maintenance Office. Deans of Schools establish their own policies in regard to authorization of key issuance. Elevator keys may be issued to faculty or staff members upon authorization by the Dean of the School, or his designee, if such issuance is deemed necessary. The Director of Health Services or the Associate Dean, Counseling and Testing, may authorize issuance of keys to the physically handicapped.

Personal padlocks may not be used. However, the Maintenance Office will issue padlocks when authorized. These are keyed to the master lock system on campus to permit access by authorized personnel in case of fire or other emergency.

Keys and padlocks must be returned to the Maintenance Office when employment is terminated, or when the particular keys are no longer needed. If not returned, the Maintenance Office will ask the Cashier's Office to place a hold on the responsible individual's final paycheck.

If a key is missing, a lost-key card must be completed according to the instructions appearing on the card.

U. University Police

The CSULB University Police maintain a full-time complement to protect life and property and to perform duties as a service agency to enforce laws and regulations, direct traffic, assist at large events, and render assistance in many other ways, such as opening cars with keys locked inside and arranging assistance from auto clubs.

Lost articles, thefts, criminal offenses, suspicious incidents or traffic accidents on campus should be reported immediately.

Further information may be obtained from the University Police Office (Ext. 4101). In emergencies dial Ext. 4100.

V. Disaster Information

Copies of the University's Civil Defense and Disaster Relief Plan are available in all Department, School, and administrative offices. Basic instructions are posted in all campus buildings and classrooms on what to do in the event of a disaster, and further information is available in the Office of the Chief of University Police (Ext. 4101).

W. Emergencies

Emergency calls are monitored simultaneously by the Health Center and the University Police. Based on the information received, personnel may be dispatched to the scene. Medical personnel will decide whether or not a commercial ambulance is to be called. University Police will aid in making the calls, in directing emergency vehicles to the scene, and in crowd control.

Dial 4100 in any emergency: from off campus dial 498-4100

X. Lost and Found

The lost and found department is located at the University Police Office, 1331 Palo Verde Avenue; owners must appear in person to inquire about lost items in order to identify their property.

Y. Commercial Displays on Campus

The use of the campus for commercial purposes is prohibited by Title 5. An exception may be granted for certain commercial displays for use on campus provided that they are primarily of an educational nature. The time, place, and manner of these displays requires the approval of the Associate Dean for Student Affairs (Ext. 4181).

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Z. Leafletting

The distribution of handbills and circulars, except for commercial advertising and when not in violation of the California Penal Code, is permitted on campus from Monday through Friday, 8:00 a.m. - 9:00 p.m. at any location except for parking lots, in cars, or inside buildings. Such solicitation, however, must not interfere with classes or obstruct the flow of pedestrian and vehicular traffic nor can it involve loud or unreasonable noise or other disturbance of persons in the area.

Appendices

Appendix 1

Reappointment and Advancement Policy

1. **AAUP Policy Statement:**

Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues; in such competence it is implicit that responsibility exists for both adverse and favorable judgments. Likewise there is the more general competence of experienced faculty personnel committees having a broader charge. Determinations in these matters should first be by faculty action through established procedures, reviewed by the chief academic officers with the concurrence of the board. The governing board and president should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.

Statement on Government of Colleges and Universities of the American Association of University Professors; **(AAUP Policy Documents and Reports, 1971)**

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2. Reappointment and Advancement (R & A): Reappointment includes those reappointments which confer tenure. Advancement refers to both promotion in academic rank and to merit step increases.

3. Trustee policies and sections of the Education Code which apply to R & A are quoted in the Appendix attached to this document.

4. All those who are eligible and qualified should be promoted without delay.

5. Where budgetary or other restrictions imposed by higher authority prevent such promotions, the following system of recommendation and selection shall be applied:

A. A candidate for promotion shall be placed in one of three possible categories: (1) outstanding, (2) qualified and recommended for promotion, (3) not recommended at this time.

B. Each school shall place in the first category no more than 10% of the candidates technically eligible for promotion for a given rank for a given year. In any case each school will be allowed at least one.

C. To select from among those in the second category, that is, those qualified and recommended for promotion, the following method shall be used:

Each school shall be informed of the dollar amount available for promotions. The school shall then recommend a division of the monies in terms of the number of promotions to be made in each rank. In addition, the school shall then divide the qualified candidates in the second category into two groups: those who should be promoted at this time and those who cannot be promoted at this time due to budgetary limitations. Reasons responsive to the merit criteria of the school shall be given for placing candidates in either group. Where other indications and evidence of merit are approximately equal, consideration may be given to the number of years a candidate has qualified for promotion and been placed in the second category and to his length of service at the University. The extent to which, and the means by which, the academic areas of a school participate in the process of dividing the second category into two groups shall be established in the R & A document of each school.

6. It shall be the responsibility of the University Financial Affairs Council to advise the President in regard to the limitations and distribution of funds available for R & A.

7. Faculty shall be eligible for consideration for promotion to Associate or Full Professor after serving one year at the top salary step of tht preceding rank, or after five years service in the rank, whichever comes first.

8. R & A evaluations and recommendations shall be made at the academic area(s)* level. Recommendations, the reasons for the recommendations, and a full summary of all evidence shall be transmitted to the Office of the President in accordance with school R & A procedures.

In determining a candidate's qualifications for R & A, use shall be made of objective evidence. Candidates for R & A may provide appropriate evidence to assist in the process.

The recommendations, the reasons for the recommendation, and a full summary of evidence will be given to candidates, who may, if they desire, respond to the academic area's recommendations before they leave the academic area.

9. Each school (the Library is considered a school for R & A purposes) shall adopt an R & A document which shall outline the procedures and criteria for the R & A process in that school. This document shall be adopted by the faculty of the school by majority secret ballot. By the same method, each academic area shall also adopt an R & A document. The school document shall be consistent with state law, with the regulations of the State University and Colleges System, and with this document. The academic area document must be consistent with these and also with the school document. Schools and academic areas are urged to develop criteria which amplify or enhance those established by the Trustees (see appendix) or which are especially applicable to a particular school or academic area.

10. The R & A policies and procedures of the academic areas and the schools are subject to the review and approval of the Associate Vice President, Academic Affairs — Academic Personnel in regard to their consistency with the established policies of the system and of this University and with acceptable professional standards.

11. **APPEALS** — Any candidate may appeal a negative recommendation on reappointment, tenure, promotion (including placement in the second group under 7.22 C), or merit salary increase. (If the negative decision comes from the Office of the President, however, the candidate will use the System grievance procedure, Executive Order 150 or successor.)

The appellant will submit a written response to the negative recommendation promptly to the Office of the Associate Vice President, Academic Affairs — Academic Personnel, and a copy of the response to the evaluating agency which has made the negative recommendation. This agency, at its discretion, may reverse its negative recommendation before the appeal procedure is completed.

The appeal committee will forward its recommendation, the reasons for the recommendation, and a summary of the evidence to the Office of the President and a copy of its report to the appellant.

Use of the appeal procedure does not preclude later use of the System grievance procedure.

APPEAL COMMITTEES — All full-time tenured professors (and tenured librarians) shall be available to serve, if called, on three-man appeal committees for hearings of individual cases. A professor may decline service on a particular committee for cause.

The membership of an appeal committee shall be established by lot with the proviso that two of the committee members must come from the school, but not from the academic area of the appellant, and one from another school.

The appellant, informed of the committee membership, may challenge without cause one member. This member will be replaced by lot.

Appeal procedures will be informal. Appropriate witnesses may be heard, but no transcripts or detailed minutes need be kept. The report of the committee is sent to the Office of the President and is held in the appellant's personnel file.

12. All departmental and school evaluations shall be forwarded early enough in the spring term so that the appeal process can be completed prior to the evaluation and final decisions by the President.

13. All questions of interpretation of this document shall be referred to the Associate Vice President for Academic Affairs — Academic Personnel for decision. Decisions of the Associate Vice President for Academic Affairs — Academic Personnel may be appealed to the Academic Senate.

14. **AMENDMENTS** — Once this document has been duly adopted by the faculty of the University, amendments to it may be made by the Academic Senate. Two-thirds of the ballots cast are required for ratification. Such amendments become effective when approved by the President.

*Academic Area refers to department, program, or interdisciplinary program, whichever is the next administrative level below the school.

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Appendix A (R & A Document)
From the State College Administrative Manual
Section 7360.40

CHARACTERISTICS REQUIRED FOR PLACEMENT AND PROMOTION IN RANK AND GRADE

The following characteristics of applicants should be considered for appointment to or promotion in academic and grade rank:

1. Contributions to field of learning, such as publications, participation in professional activities, membership on committees and in organizations of state or national scope and other contributions reflecting credit in terms of the individual's professional standing and in work which reflects recognition to the college.

2. Improvement and efficiency in teaching ability, including such factors as presentation, inspiration, and appreciation of student difficulties and background in the light of the nature of subjects and students taught. For appointment or promotion to any rank above that of Instructor and Junior Instructor, special consideration should be given to promise of developing effective teaching ability.

3. Value of the applicant to the college in the way of committee work, student advising, assumption of responsibility, community contacts and activities, cooperativeness, professional attitudes, speech, sociability, and other similar personal traits and contributions. For promotion to any rank above that of Instructor and Junior Instructor, the applicant should show definite promise of being a real and valuable addition to the college in terms of personal relationships.

Appendix B (R & A Document)
Title V[1] of California Administrative Code[2]

Article 2

42701. Consultative Procedure. It is the policy of the Trustees that faculty be consulted on academic personnel matters. Each college shall develop college-wide procedures whereby only members of the faculty who are tenured, and such department chairmen and academic administrators as the college procedures shall provide, may participate at any level of consideration in the deliberations or vote on recommendations relating to appointment, retention, tenure or promotion of faculty. The procedures shall provide that those making such recommendations should consider information from other faculty members and any other source, including, but not limited to students.

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The college-wide procedures shall be consonant with the regulations, policies and procedures of the Board of Trustees and the Chancellor and shall be approved by the president.

42702. (d) The President of each college or his designee, using the consultative procedures established pursuant to Section 42701 shall:
(1) Make all appointments of academic employees.
(2) Award or deny tenure to probationary academic employees.
(3) Make all promotions of academic employees, provided that in the case of any academic employee who first began his consecutive full-time service during an academic year commencing on or after September 1, 1971, only tenured faculty or those selected for the simultaneous award of tenure may be promoted to the ranks of associate professor or professor.

Article 13

Tenure Rights of Academic Employees

43560. Academic Employees Whose Full-Time Service Began On or After September 1, 1971 . . .
(a) The normal pattern of awarding tenure, except as modified below, shall involve the assessment of a faculty member's performance over a period of four successive academic years, and for those not awarded tenure, a terminal year.
(b) The president may determine to award a fifth probationary year appointment. Should it be considered by the end of that year that more time is still necessary to evaluate the probationary academic employee for tenure purposes, the president may award a final sixth probationary year appointment. For those denied tenure following the final probationary year, a terminal year shall be awarded as provided in Subdivision (c) of Section 43561. A probationary academic employee shall not serve more than seven successive full-time years.

[1]Revised July 1971.
[2]Some legal quotations are not completely reproduced herein.

(c) If the academic employee transfers from an existing state college to a newly established state college under the provisions of Education Code Section 24316, he shall be accorded such tenure rights at the newly established college as he had acquired at the existing college.

(d) If a tenured academic employee transfers from one state college to another state college, and such transfer is not under the provisions of Education Code Section 24316, he may be appointed with tenure or with such credit towards tenure as the president of the state college to which he transfers shall determine.

(e) If a probationary academic employee transfers from one state college to another state college, and such transfer is not under the provisions of Education Code Section 24316, he may be appointed with such credit toward tenure as the president of the college to which he transfers shall determine.

(f) If the academic employee is initially appointed to the rank of professor he may be considered for tenure during his first year, and, not later than June 1 of his second year, he shall be notified by the president or his designee that he will either receive tenure or that he will receive a terminal year.

(g) Notwithstanding any provision in this article to the contrary, the president in special circumstances may award tenure to any probationary academic employee earlier than the normal probationary period otherwise provided in this section, when, following an evaluation of the performance of the faculty member at the college, he finds that such early award of tenure is advantageous to the institution.

(h) Except as provided in subdivisions (c), (d) and (g) of this Section, whenever tenure is awarded to an academic employee, the tenure shall be effective when the academic employee enters upon his duties at the same college at the beginning of the academic year next succeeding the year during which tenure is awarded.

(i) If the academic employee is promoted to the rank of assistant professor during his probationary period, he shall be credited with consecutive probationary years already served at the college at the rank of instructor.

43560.1 Academic Employees Whose Full-Time Service Began on or Prior to September 1, 1971....

(a) After serving two semesters or three quarters full-time during each of four successive academic years shall be accorded tenure on beginning his fifth successive academic year unless such year is his terminal "notice" year. As otherwise provided in this article, tenure may be accorded after less than four academic years of such service. The normal pattern of according tenure, except as modified below, shall involve the assessment of a faculty member's performance over a period of three academic years, final appraisal and review during the fourth academic year, and for those not accorded tenure, a terminal "notice" year.

(b) Transferred from an existing state college to a newly established state college under the provisions of Education Code Section 24316, shall be accorded such tenure rights at the newly established college as he had acquired at the existing college.

(c) Transferred from one existing state college to another, provided he had tenure at the college from which he transferred shall gain tenure on beginning a second consecutive academic year.

(d) Transferred from one existing state college to another (newly established or existing) shall get credit for up to two academic years of the probationary period he has served if he does not have tenure.

(e) Initially appointed to the rank of professor, may gain tenure on beginning a second consecutive academic year and shall gain tenure on beginning a third consecutive academic year of service unless such year is a terminal notice year.

(f) If promoted to a higher academic rank during his probationary period, shall be credited with probationary years already served in a lower rank.

43560.2 Application of Section 43560 to Certain Employees.

At the discretion of the president and upon request of the academic employee, as specified in this Section, an academic employee to whom the provisions of Section 43560.1 are otherwise applicable may be placed under the provisions of Section 43560 instead of those of Section 43560.1.

Such requests may be made by academic employees on terminal "notice" years and by other probationary academic employees, and must be made in writing and delivered to the president or his designee prior to March 1, 1972.

43561. Recommendations, Review and Notice Dates.

Recommendations regarding reappointment, tenure and termination shall originate at the department or, where appropriate, at the division level. Such recommendations shall pass through appropriate levels to a final review committee which shall make recommendations to the president. The appropriate faculty shall participate fully at the various stages of the process. The president shall advise the academic employee of his decision with respect to reappointment, tenure, or termination in accordance with the

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dates specified in subdivisions (a) and (b) of this Section (which dates are referred to as "notice dates") and if an employee is not to be retained, the president shall advise him when his services will terminate in accordance with subdivision (c) of this Section.

(a) At colleges not on quarter system year-round operations. . . :

(1) In his first probationary academic year of full-time service he shall be notified not later than March 1 of that academic year that he is to be reappointed for a second academic year, is to receive tunure, or is to be terminated at the end of that college year.

(2) In his second probationary academic year of full-time service, he shall be notified not later than December 15 of that academic year that he is to be terminated at the end of that college year, or is to receive further evaluation and a notice regarding his third academic year by June 1 of that academic year.

(3) In his second year of full-time service, if he is subject to further evaluation and notice as provided in subdivision (a)(2) of this Section, he shall be notified not later than June 1 of that academic year as to whether his subsequent academic year is an additional probationary year or a first year of tenure, or whether he is to be terminated at the end of the subsequent college year.

(4) In his third or subsequent academic years of full-time service he shall be notified not later than June 1 of each of those years as to whether his subsequent academic year is an additional probationary year or a first year of tenure, or whether he is to be terminated at the end of the subsequent college year.

(c) Probationary academic employees who are not reappointed or awarded tenure shall terminate their services as follows:

(1) At the end of the college year during which the notice date occurs for (A) first year academic employees, (B) second year academic employees at colleges not on quarter system year-round operations, who are not appointed to a third academic year. . . .

(2) At the end of the college year next following the college year during which the notice date occurs for: (A) second year academic employees other than those to whom sub-division (c)(1) is applicable, (B) third and subsequent academic year employees.

(d) Probationary academic employees serving on 12 month appointments whose full-time service began on or after September 1, 1971, shall gain service credit toward tenure in the same manner as academic year employees at the same college and shall be subject to the notice dates and termination dates as are applicable to academic year employees at the same college as specified in this Section.

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43562. Probationary Period, Promotion, and Nonaccruing Assignments.

An academic employee who has gained tenure shall be required to serve only one probationary period during employment in a college. When an academic employee who has tenure is promoted, it shall be deemed that he has all rights provided by this article at the new rank. He shall not acquire tenure in an academic-administrative assignment or in an executive position.

43563. Leave of Absence without Pay.

(a) A leave of absence without pay taken during a probationary period for an assignment determined by the college president to be of a nature valuable to the college shall not constitute a break in service for the purpose of acquiring tenure. One academic year or less of such leaves may, at the discretion of the president, be counted towards the required service for tenure. However, for a probationary period in a leave status to be counted towards eligibility for tenure an appraisal of such relevant experience must be made and included in the total appraisal of the individual.

(b) The president shall determine whether a leave of absence without pay, for reasons other than those indicated in (a) above, shall constitute a break in the probationary period.

43564. Late Reporting for Duties.

Reporting for assigned duties within six weeks after the beginning of an academic year may, when the circumstances in the judgment of the college president warrant, not interrupt the probationary status or reduce the credit value of the probationary academic year in which the late start of less than six weeks occurred.

43565. Service in Office of the Chancellor.

Service by a probationary academic employee in an academic-administrative assignment in the college or a limited term of service in the Office of the Chancellor shall be counted toward completion of the academic probationary period at the college. Service in the Office of the Chancellor by an academic employee with tenure shall not affect his tenure status in the college from which he came.

43566. Notifications of Reappointment, Non-Reappointment, and Award or Denial of Tenure. These procedures shall be effective for all notices issued on or after September 1, 1971.

(a) Notification of all decisions regarding reappointment, nonreappointment and the award or denial of tenure of academic employees shall be in writing and signed by the college president or his designee.

(b) The notice of intention not to reappoint a probationary academic employee or not to award him tenure, as the case may be, shall be mailed by sertified mail, return receipt requested, to the academic employee at his last known address, or the notice may be delivered to the academic employee in person who shall acknowledge receipt of the notice in writing. If such notice is delivered to the academic employee and he refuses to acknowledge receipt thereof, the person delivering the notice shall make and file with the college president an affidavit of service thereof, which affidavit shall be regarded as equivalent to acknowledgement of receipt of notice.

(c) Reappointment to a succeeding academic year, and the award of tenure, may be accomplished only by notice by the president or his designee. Notwithstanding any provision of this article to the contrary, no person shall be deemed to have been reappointed or to have boen awarded tenure because notice is not given or received by the time or in the manner prescribed in this article. Should it occur that no notice is received by the times prescribed in this article, it is the duty of the academic employee concerned to make inquiry to determine the decision of the president, who shall without delay give notice in accordance with this section.

43569. Notice by Employee.

If an academic employee desires to terminate an existing appointment, or to decline a reappointment, he shall give notice not less than three months if his rank is instructor or assistant professor, and not less than four months if his rank is higher, before the end of his duties during his academic year exclusive of a summer session; but he may properly request a waiver of this requirement in case of hardship or in a situation where he would otherwise be denied substantial professional advancement.

43571. Lecturers.

The provisions of this article shall not apply to periods of service in the status of lecturer except that full-time service as a lecturer, may be counted as service required for tenure, provided:

(a) In the case of persons whose initial full-time service as a lecturer first began prior to September 1, 1971, and has continued without break from the time of his initial appointment, not to exceed two years of such service as a lecturer may be credited as service required for tenure.

(b) In the case of persons whose initial full-time service first began as a lecturer on or after September 1, 1971, not to exceed two years of such service as a lecturer may be credited as service required for tenure, if it has been without break. Tenure may be awarded at the rank of professor based on service as a lecturer only if a two-year tenure period is utilized, as provided in Section 43560, subdivision (f), in which event up to one year of service as lecturer may be credited.

43572. Director of Athletics and Athletic Coach.

(a) The provisions of this article relating to academic tenure shall not be applicable to periods of service in the classes of Director of Athletics or athletic coach.

(b) Appointments to the classes of Director of Athletics or athletic coach shall be made by the president on either an academic year, ten-month or twelve-month basis, and may be renewed on a year-to-year basis, without acquisition of tenure.

(c) Individuals who have served without a break in service in the classes of Director of Athletics or athletic coach, or both, and who are appointed to positions in which academic tenure may be gained, may be credited with not more than two years of service in such positions as service required for tenure; provide, that when such an individual is appointed to the position of Professor, he must serve at least one year in probationary status immediately prior to gaining tenure.

(d) The provisions of this Section shall not be applicable to probationary academic employees appointed prior to September 1, 1971, provided that at the discretion of the president and at the request of the academic employee, an academic employee who has been serving as a coach or director of athletics, may be appointed under the provisions of Sub-division (b) of this Section.

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The Following Recommendations from the Report of the ad hoc Committee on Procurement and Retention of a Quality Faculty Were Adopted by the Board of Trustees in September, 1970: **PART I**

1. All colleges should have written collegewide standards and procedures on faculty appointments, reappointments, tenure, promotion, and merit salary increases. These collegewide procedures should include the following:

   a. Pursuant to Section 42701 of the California Administrative Code, Title 5, a statement of policy on consultation with respect to decisions on appointment, reappointment, tenure, promotion, and merit salary increases.

   b. Written collegewide standards and procedures for appointment, reappointment, tenure, promotion, and merit salary increases.

   c. Evaluative criteria to include teaching performance, research and creative activity, contributions to the community, contributions to the institution, and possession of appropriate academic training.

   d. Use of standardized campus evaluation form or documents for reappoinment, tenure, promotion, and merit salary increases.

   e. Requirements for evidence for evaluation such as class visitation, measurement of student achievement, course outlines and tests, committee work, publications, opinion of peers, students and statement of the individual faculty member.

   f. Periodic evaluations after tenure.

   g. A statement of the authority and responsibility of recommending agencies such as faculty committees and college administrators for appointment, reappointment, tenure, promotion, and merit salary increases.

2. All colleges should adopt the following principles and guidelines as a basis for the development and operation of their faculty personnel policies regarding appointment, reappointment, tenure, promotion, and merit salary increases.

   a. Evaluation procedures for purposes of appointment, retention, promotion, merit salary increases, and tenure should reflect primary emphasis on teaching ability.

   b. Procedures should provide for consultative processes, and faculty involvement in matters of academic appointment, retention, promotion, merit salary increases, and tenure. Faculty involvement may be implemented through election of committee members, consultation and review, appeal procedures and other related processes.

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   c. The procedures should stipulate that the intensity of the evaluation process will vary in accordance with the academic position of the faculty member. Thus, granting of tenure requires stronger evidence of worthiness than appointment; promotion to Professor requires a more rigorous application of standards than promotion to Associate Professor, etc.

   d. The procedures should state that the basic evaluation of a faculty member's teaching ability and professional competence will be made by his colleagues in his field and his immediate supervisor, the department chairman.

   e. The procedures should require that a faculty member be evaluated against a set of standards for professional performance and comparatively against the performance of his colleagues.

   f. The procedures should require a "comprehensive assessment" of a faculty member with appointment and retention seen as leading to tenure. There should be a stated presumption that if a faculty member is not likely to pass the test for obtaining tenure, then he should not be reappointed; if he does not have the potential for promotion to Associate Professor or beyond, he should not be accorded tenure; however, the granting of tenure does not guarantee future promotion.

   g. The procedures should specify that the granting of tenure is not solely a reward for services performed during the pre-tenure years but is an indication that the institution and the faculty member's colleagues have evidence based on the candidate's performance and achievements that he will continue to be a valued colleague.

   h. The procedures should state that promotion in rank is in no way automatic but is granted only in recognition of competence, professional performance and meritorious service during the period in rank.

   i. The procedures should specify that possession of the doctorate or the appropriate terminal degree is a normal prerequisite for promotion beyond the rank of Assistant Professor; exceptions may be made in those instances where the faculty members may be uniquely qualified.

   j. The procedures should require provision for review of recommendations of the basic academic unit on tenure and promotion. Ordinarily, review will be by a collegewide committee and/or administrators, such as Deans or the Academic Vice President.

3. Where school, division or departmental policies exist they should be consistent with collegewide policies.

4. Each college shall develop and continuously seek to improve techniques for gathering evidence to be used in the evaluative process, including procedures which would assure student contribution as well as measurement of student achievement.

5. Each President shall assign an appropriate committee or staff member the responsibility of auditing and reviewing the application of policies on faculty appointment, reappointment, promotion and tenure.

6. Each college shall provide faculty members with a copy of written collegewide policies and procedures prior to appointment by the President.

The Following Recommendations from the Report of the ad hoc Committee on Procurement and Retention of a Quality Faculty Were Adopted by the Board of Trustees in January, 1971: PART II

1. The review process of the college should provide that the reviewing collegewide committee (or administrator) be provided with reliable evidence which will validate evaluative statements and that generally specific data be required to support recommendations of department committees and department chairmen. If the evidence is not satisfactory, or if it does not appear to support the recommendations made, the process should provide for the file to be returned to the department for amplification.

2. The colleges, through their schools and departments should develop methods to communicate to faculty members the emphasis on particular standards for certain faculty personnel processes. For example, if a faculty member is to be judged primarily on his teaching ability for retention, he should be so advised; if research and creative activity are primary requirements for promotion, this priority should be made known to the faculty member.

3. The colleges in evaluation should take into account consideration of the faculty member's contribution to the community. Such service to the community may be seen as useful in the professional development of the faculty member, helpful in bringing recognition to the college and advantageous in providing an outside source for evaluation of the professional competence of the faculty member.

4. Efforts should be made to coordinate recruitment of faculty in order to lower recruiting costs and improve interviewing procedures. In addition, adequate funds should be provided to allow interviewing of prospective faculty either on or off-campus.

5. The colleges should be encouraged to provide appropriate orientation and counseling for new faculty members. Deans and department chairmen should be encouraged to institute regularly planned individual sessions for discussion of teaching strengths and weaknesses with probationary faculty members.

6. The Committee recommends to the Board of Trustees that Title 5 be revised to make clear that it is Board policy that only tenured senior faculty serve on committees making recommendations in the retention, promotion and tenure process.

7. The Committee has concluded as a result of its study that a most critical position in the personnel recommendation process is that of the department chairman. Therefore, the Committee, cognizant of the difficulties that department chairmen have, makes the following recommendations to the Board of Trustees with respect to the department chairmen:

   a. Funding be sought for 12-month appointments for most department chairmen.

   b. A full-time secretarial position for each chairman of a department with more than 10 faculty members (or a department with a particular need — e.g., new buildings, accreditation, etc.) and additional clerical and technical assistance to the department as required.

   c. An administrative assistant position for very large departments.

   d. A salary differential of at least 5% for all department chairmen.

   e. Improved office space and equipment to facilitate streamlining routine functions, pooling or mechanizing services, for increasing productivity of the department office.

   f. Provide for training and professional development of department chairmen.

8. With respect to tenure, it is the position of the ad hoc Committee on Procurement, Retention, and Tenure that the problems inherent in the current tenure system are not amenable to solution by an extension of the probationary period. The purpose of the probationary period is to provide adequate time to evaluate the competence of faculty members prior to the according of tenure. The Committee feels that in institutions where the major criterion of performance is teaching ability rather than research as is the case in the State Colleges, a four-year probationary period is adequate in length.

There are, however, two problems related to tenure that the Committee feels should be resolved. These problems are those associated with the difficulty of dismissing, demoting or suspending tenured faculty members who, after having been accorded tenure, become incompetent as teachers, or who engage in unprofessional conduct. The committee does not feel that these problems can be dealt with adequately by extending the probationary period. What is required to deal with them, the committee believes, is a more concise and specific statement of professional ethics and a formal system of post-tenure review with respect to competence of faculty members.

9. The Committee recommends to the Board of Trustees that the case studies be repeated in two years to enable the campuses to determine whether or not the recommendations contained in PART I and PART II of this report have had an impact on campus personnel practices.

October 11, 1973

From: **Office of General Counsel**
Trustees of The California State University and Colleges

Subject: **Personnel — Department Chairmen — California State University, Long Beach**
Our File No. L73-2698; X-Ref. L73-1272

You have asked us if Trustee policy requires that department chairmen make personnel evaluations separate from those made by departmental personnel committees.

The answer to this question is in the affirmative. On September 23, 1970, the Trustees adopted the following two resolutions (Minutes of the Meeting of the Board of Trustees of the California State University and Colleges, p. 2532):

"RESOLVED, By the Board of Trustees of the California State Colleges, that the Board endorses the Preamble to and Part I of the Report of the Ad Hoc Committee on the Procurement and Retention of a Quality Faculty and the recommendations contained therein, and be it further

RESOLVED, That the Board requests the Chancellor to direct the Presidents to insure that those recommendations are implemented during this academic year, 1970-71 . . . "

Section 2d of the recommendations referred to in the second resolution provided (Committee on Faculty and Staff Affairs Agenda Item I, p. 6, September 22-23, 1970):

"2. All colleges should adopt the following principles and guidelines as a basis for the development and operation of their faculty personnel policies regarding appointment, reappointment, tenure, promotion, and merit salary increases.

d. The procedures should state that the basic evaluation of a faculty member's teaching ability and professional competence will be made by his colleagues in his field and his immediate supervisor, the department chairman."

The purpose of evaluating personnel for appointment, reappointment, tenure, promotion, and merit salary increases is to produce recommendations (see 5 California Administrative Code Section 42701 on the subject of consultative procedure). Thus, the September 23, 1970 resolution requires that department chairmen make recommendations independent from those made by departmental personnel committees.

NORMAN L. EPSTEIN
Vice Chancellor and General Counsel

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By Richard J. Sensenbrenner
Attorney

Appendix II

Executive Order No. 113 (Disciplinary Action Procedures for Academic Personnel of The California State Colleges) and Executive Order No. 201 (Grievance Procedures for Academic Personnel of The California State University and Colleges)

Appendix II

Executive Order No. 113
Executive Order No. 201

Executive Order No. 113

This Executive Order is issued pursuant to Section 43525 of Title 5 of the California Administrative Code.

1. Except as provided in this Executive Order, the Disciplinary Action Procedures for Academic Personnel of the California State Colleges are established effective this date, for the California State Colleges, and shall govern disciplinary action proceedings for academic employees according to its terms. A copy of these Procedures is attached to, and made a part of, this Executive Order.
2. These Procedures supersede all other Disciplinary Action Procedures for Academic Personnel previously in force in the California State Colleges.
3. These Procedures shall be made available to all academic personnel covered by its terms.
4. If, in the judgment of the President of a new or small State College, there are particular provisions in these Procedures which appear impractical to institute during an identified period of time, he may request the Chancellor to waive such requirements in the case of the particular State College. The Chancellor shall review such requests and take action as appropriate.
5. Hearing officers will be designated by the Chancellor for each State College, as provided in Section 6.1 of these Procedures. Until further notice, hearing officers appointed by the Presiding Officer of the Office of Administrative Procedure (Government Code Sections 11370-11370.4) are hereby designated as Hearing Officers under these Procedures. Arrangements have been made whereby such Hearing Officers will be assigned upon request of the President to the Presiding Officer, at his office in Sacramento.

DATED: September 30, 1970

Glenn S. Dumke
Chancellor

Disciplinary Action Procedures For Academic Personnel of the California State Colleges

Sections

1. Coverage and Scope
2. Authority of the President
3. Temporary Suspension; Withdrawal of Consent to Remain on Campus
4. Effect of Other Proceedings
5. Administrative Officer
6. Hearing Officer
7. General Provisions for Hearings
8. Recommendations of the Hearing Officer
9. Disciplinary Action Panel
10. Action by the President
11. Subsequent Action
12. Other Provisions

Preamble

These Procedures apply only to those actions or conduct that exert a harmful effect upon the academic functions of the College, those that adversely affect the students, the administration, or other faculty members, and those that adversely affect the teaching process or the proper administration of the College.

The American Association of University Professors' Statement of Professional Ethics which has been adopted by the Academic Senate, CSC provides, "As a member of his community, the professor has the rights and obligations of any citizen. He measures the urgency of these obligations in the light of his responsibilities to his subject, to his students, to his profession, and to his institution. When he speaks or acts as a private person, he avoids creating the impression that he speaks or acts for his college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and further public understanding of academic freedom." At the same time, faculty enjoy the rights of citizens in the community, and it is not intended that these Procedures should reach into and control the personal actions or conduct of faculty members where those actions, or that conduct, do not exert a harmful effect upon the academic functions of the College.

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Section 1.0 **Coverage and Scope**

1.1 These Procedures are applicable to determinations of charges which may result in disciplinary action pursuant to Education Code Section 24306.

1.2 These Procedures are established pursuant to, and in order to implement, Sections 42701, 43522, 43525 and 43526 of Title 5 of the California Administrative Code, and Education Code Section 22505.[1]

1.3 These Procedures are applicable to all full-time tenured and probationary academic employees, including those on leave of absence with or without pay.

1.4 Disciplinary action proceedings under Executive Orders 67 or 81 which were commenced but not concluded by September 30, 1970, shall continue under the procedures of the respective Executive Order, except that the Chancellor's Review Panel shall be advisory to the Chancellor, and the Chancellor shall make the final decision. A proceeding shall be considered to have been commenced under Executive order 67 or 81, as the case may be, on the date a request for disciplinary action was filed with the Initiator or appropriate faculty agency under such Executive Order.

Section 2.0 **Authority of the President**

2.1 All determinations and findings under these Procedures made by anyone other than the President are in the nature of recommendations to the President, who shall have final authority at the college level.

2.2 The functions of the President as described in these Procedures, may be delegated by him to individual designees who are employees of the College, and who shall exercise those functions in his name. However, the President shall be responsible for any action taken under his authority. All references in these Procedures to the President include such designees.

[1]Specific code sections referred to in these Procedures are set out in the Appendix.

Section 3.0 **Temporary Suspension; Withdrawal of Consent to Remain on Campus**

3.1 The President may order the temporary suspension of any academic employee as provided in Section 43522 of Title 5 of the California Administrative Code, an interim suspension pursuant to Education Code Section 22505, or both. In the case of interim suspension pursuant to Education Code Section 22505, or of withdrawal of consent to remain on campus pursuant to Penal Code Section 626.4, the academic employee shall be afforded an opportunity for a hearing on that issue within ten days of the respective action. If that hearing should occur prior to his disciplinary hearing under these Procedures, the issue shall be whether a continued withdrawal of consent pending such disciplinary hearing is required in order to protect lives or property and to insure the maintenance of order, and on any issues presented by a request for hearing pursuant to Penal Code Section 626.4(c).

Section 4.0 **Effect of Other Proceedings**

4.1 Action under these Procedures shall go forward regardless of possible or pending other administrative, civil, or criminal proceedings arising out of the same or other events.

4.2 The President may reopen disciplinary proceedings on the basis of new evidence developed in proceedings arising out of the same events as gave rise to the college disciplinary proceedings. The President shall cause campus action to be initiated on the basis of the criminal conviction of an academic employee whenever applicable statutes or regulations require it.

Section 5.0 **Administrative Officer**

5.1 General

a. The President shall designate an academic administrative officer, who shall have general charge of the administration of these Procedures, the duties described in these Procedures, and such other duties as the President may determine. The person so designated shall serve in this assignment at the pleasure of the President.

b. The person so assigned may use such local, administrative title as the President may determine. For convenience, he is referred to herein as the "Administrative Officer."

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c. All references in these Procedures to the Administrative Officer shall include such other persons as are authorized by the President to assist the Administrative Officer and act in his name.

d. The Administrative Officer shall investigate all alleged misconduct within the scope of these Procedures. All requests for disciplinary action within the scope of these Procedures shall be filed with him.

e. The Administrative Officer shall submit allegations of such misconduct to the person charged, who may present a written answer within three college working days[2] of receipt. The Administrative Officer shall conduct an investigation of the allegations and any answer to these, including a review of the documentary and other material available to him, to determine whether or not further proceedings are warranted. Such determination shall normally be made within seven college working days after the person charged has been initially informed by the Administrative Officer of the allegations against him.

f. As a result of his investigation, the Administrative Officer shall make a recommendation to the President as to whether the matter should proceed. A hearing shall be held whenever the President determines that it is warranted, and whenever required by statute, action by the Board of Trustees, or the Chancellor.

g. If it is determined that the matter should not proceed, then, unless new evidence sufficient in the opinion of the President to warrant reopening the case is subsequently discovered, the disciplinary proceeding shall be considered closed.

5.2 Notices

a. The Administrative Officer shall prepare and mail notices as appropriate to the person charged. Notices addressed to him at the last address posted on the records of the Personnel Officer of the College, and deposited in the United States mail, first class and postage prepaid, shall be presumed to have been received and read by the person charged.

b. The Administrative Officer shall initiate hearing procedures against a person charged by mailing or personally delivering a notice letter to him, by registered or certified mail, return receipt requested, which:

(1) Contains a statement of the charges against him, in terms of the appropriate subdivisions of Education Code Section 24306, or such other statutes or regulations as may be applicable, and a brief factual description, stated with reasonable particularity, of the conduct upon which the charges are based.

[2] "College working day" is defined in subdivision c of Section 5.2.

(2) Notifies him of the time and place of hearing.
(3) Refers to or encloses a copy of these Procedures.
(4) Includes such other information as the Administrative Officer may wish to include, such as notice of temporary suspension and withdrawal of consent to remain on campus where such action has been decided upon.

c. As used in these Procedures, "college working day" shall mean any day other than a Saturday, Sunday or holiday as defined in Government Code Section 18025.

5.3 The person charged may waive a hearing and accept a sanction as recommended by the Administrative Officer and approved by the President. The person charged may accept this sanction without admitting that he engaged in the conduct charged. Should he not accept the sanction, the matter shall proceed to hearing, and no cognizance shall be taken of the recommendation made pursuant to this Section 5.3.

5.4 The Administrative Officer shall make physical and scheduling arrangements for the hearing of cases.

5.5 The Administrative Officer shall attend the hearing and shall marshal and present the evidence against the person charged.

Section 6.0 **Hearing Officer**

6.1 The Chancellor shall designate one or more Hearing Officers, who shall serve for terms as determined by the Chancellor.

6.2 Hearing Officers shall be attorneys, admitted to the practice of law in California, who are qualified by professional experience in presiding at judicial or quasi-judicial adversary proceedings, or who have been members of the California State Bar for at least five years. They will not hold any employment, or other contract (other than as a Hearing Officer) with any California State College during the period of their service.

Section 7.0 **General Provisions for Hearings**

7.1 Both the person charged and his advisor, and the Administrative Officer and his advisor may:

a. Be present at all proceedings of the hearing whenever any evidence is being presented.
b. Examine all documents or other evidence presented to the Hearing Officer.
c. Present relevant evidence and question witnesses presented by the other.
d. Present an oral or written summary of arguments at the conclusions of any hearings.

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7.2 Evidence

a. Formal rules of evidence shall not apply.
b. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that there are statutory bases for their application, and irrelevant and unduly repititious evidence shall be excluded.
c. No evidence other than that received at the hearing shall be considered by the Hearing Officer.

7.3 The person charged will not be required to give self-incriminating evidence, and no inference of his guilt shall be drawn by reason of his declining to give evidence on this ground.

7.4 Times Within Which Hearings are to Proceed.

a. Matters preliminary to hearings shall be decided, hearings conducted, and cases determined under these Procedures as quickly as possible, consistent with reasonable notice.
b. Normally, matters preliminary to hearings shall be decided and notices of hearings given, within ten college working days of the time the Administrative Officer is informed that a probable conduct violation or other basis for a hearing has occurred, and of the identity of the person or persons apparently responsible.
The person charged and the General Counsel (in the event the person charged elects to be represented by counsel at the hearing as provided in Section 7.7-a) shall each have not less than five college working day's notice of commencement of a hearing. Each of them may waive this requirement.
c. Hearings will normally be held within ten college working days of the date notice pursuant to Section 5.2-b is sent to the person charged.

d. Other than as required for the convenience of the Hearing Officer, extensions of time for hearings shall be authorized only for good and compelling reasons. The possibility or pendency of other administrative, civil or criminal proceedings against the person charged is not such a reason, unless the other trial or hearing is scheduled for the same day as the College hearing, or unless it is physically impossible for the person charged to attend the College hearing. Prior to the commencement of a hearing, the Administrative Officer shall decide requests for extensions. After that, should any further requests be made, the Hearing Officer shall rule on them.

7.5 The Hearing Officer shall:

a. Make all rulings on matters relating to the conduct of the hearing, including matters regarding admission of evidence.

b. Maintain an orderly hearing and permit no person to be subjected to abusive treatment. He may eject or exclude anyone who refuses to be orderly. Should he exclude the person charged, he shall make such provision as is practical in his behalf.

c. Recognize the person charged or his adviser, and the Administrative Officer or his adviser, for the purpose of questioning witnesses or presenting argument, evidence or requests to the Hearing Officer. The Hearing Officer may also question witnesses.

d. Make such further rules for the conduct of the hearing as he deems appropriate, not inconsistent with these Procedures.

7.6 A person charged may challenge the Hearing Officer for cause by submitting a written statement to the Chancellor, with a copy to the President, setting forth facts which establish that:

a. The Hearing Officer was a participant in the events out of which the action arose, other than events connected with the conduct of a hearing.

b. The Hearing Officer is related to or has had past association with the person charged or his adviser, the Administrative Officer or his adviser, or another person who has been adversely affected by the events giving rise to the action, which past association is of a kind which would prejudice his judgment to the degree that it appears that a fair hearing could not be had. "Past association" does not include an association acquired in connection with a previous hearing.

The Chancellor shall determine whether the facts present grounds for disqualification and his decision shall be final. The Hearing Officer may disqualify himself on his own motion. No peremptory challenges may be made.

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7.7 Advisers; attorneys.

a. The person charged may be accompanied by one adviser of his choice, who may act on his behalf. If he desires that his adviser be an attorney, the person charged must give written notice of the name and office address of the attorney to the Administrative Officer at least four working days before the time set for commencement of the hearing; if there are less than five working days between that time and the date of the notice of hearing, then the notice that his adviser will be an attorney must be given at the earliest reasonable time. Otherwise his attorney will not be admitted to the hearing.

b. Should a person charged advise that he will be accompanied by an attorney, the Administrative Officer shall immediately advise the Office of General Counsel, so that an attorney may be present to present the case on behalf of the Administrative Officer.

7.8 Persons Who May Attend Hearings; Confidentiality.

a. Hearings shall be closed to everyone other than the person conducting the hearing, the person charged and the Administrative Officer, a single adviser for each of them, the person designated to record the hearing pursuant to Section 7.9, witnesses while they are presenting evidence, and the representatives of not more than two recognized faculty organizations as provided in this Section.

(1) The person charged and the President may each authorize one person who is a representative of a recognized professional faculty organization or of the academic senate or council of the College to attend the hearing as an observer.

b. It is the policy of the California State Colleges that evidence, proceedings, findings and recommendations (but not the final decision of the President) are confidential and shall not be made public by the College or by any participant in a hearing, including the person charged and the faculty organization observers, except as any of the foregoing may be filed in court or introduced as evidence in an administrative or court proceeding brought to review as action taken pursuant to these Procedures. In the event these matters should become public, however, the College may authorize such public statements as are appropriate. This policy of confidentiality shall not preclude the College from taking any action following appropriate procedures against any person or entity on the basis of evidence developed at the hearing.

7.9 The Administrative Officer shall arrange for making an audio tape of any and all proceedings conducted by the Hearing Officer.

7.10 Consolidated Hearings

a. Where more than one academic employee is charged with conduct arising out of a single occurence, or out of connected multiple occurrences, a single hearing may be held for all of the academic employees so charged.
The Administrative Officer shall make determinations regarding consolidation. All such determinations shall be subject to revision by the Hearing Officer. In the event of such revision, all cases affected shall be rescheduled for hearing.

b. The separation of one or more cases from a group of cases previously set for a consolidated hearing shall not be considered to affect the remaining cases in the group.

7.11 If the person charged does not appear, without satisfactory explanation for his absence having been made to the Administrative Officer in advance, or should he leave the hearing before its conclusion or adjournment, the hearing shall proceed without him and the Hearing Officer shall make his findings and report based on the available evidence, just as though the person charged had been present throughout the hearing. The Hearing Officer shall determine whether any reason given for nonappearance, or for leaving the hearing before its conclusion or adjournment, is satisfactory. However, the pending of an administrative hearing or a civil or criminal trial to which the person charged is a party shall not be considered a satisfactory explanation unless the actual hearing or trial date conflicts with the College hearing date.

Section 8.0 **Recommendations of the Hearing Officer**

8.1 Following presentation of evidence, the Hearing Officer shall privately consider the evidence and shall prepare a written decision and report. The decision and report shall contain as to each person charged:

a. Findings of fact with respect to the evidence presented.

b. In cases in which the provisions of any of the following subdivisions of Education Code Section 24306 are charged as a cause for discipline, a finding of whether the cause is established by the evidence: "(g)" (conviction of a felony or conviction of any misdemeanor involving moral turpitude); "(h)" (fraud in securing appointment); "(i)" (drunkenness on duty); and "(j)" (addiction to the use of narcotics or habit forming drugs).

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8.2 Findings shall be based upon a preponderance of the evidence, as determined by the Hearing Officer.

8.3 Within three college working days of the conclusion of the hearing or as soon thereafter as possible, the Hearing Officer shall submit his findings and report to the President.

Section 9.0 **Disciplinary Action Panel**

9.1 Each College shall have a Disciplinary Action Panel.

9.2 The Disciplinary Action Panel shall consist of all tenured academic employees of the College holding the rank of associate professor or professor, who are assigned at least two-thirds time to teaching, research, or both.

9.3 Service as a member of the Disciplinary Action Panel, and as a member of a Disciplinary Action Committee, unless excused by the President for good cause, is part of the normal and reasonable duties of every employee designated in Section 9.2 of these Procedures.

9.4 Within three college working days of the receipt of formal written charges from the Administrative Officer, the President shall cause a Disciplinary Action Committee of three members to be selected by lot from among the members of the Disciplinary Action Panel. The person charged and the Administrative Officer shall each be informed of the Panel members selected for the Committee.

9.5 The person charged and the Administrative Officer shall each have the right to excuse up to two persons from those selected for the Committee, without cause. Each may challenge any person from membership on the Committee, but only for cause as provided in Section 7.6. Actions to excuse or to challenge must be exercised by the close of the college working day following the day information as to the persons selected for the Committee is given, pursuant to Section 9.4. The Hearing Officer shall rule on all challenges for cause of a person selected for the Committee.

9.6 Vacancies on the proposed Disciplinary Action Committee caused by challenge or excuse shall be filled by lot from among other members of the Disciplinary Action Panel, and shall be subject to excuse or challenge as provided in Section 9.5, except that the aggregate number of persons who may be excused without cause pursuant to Sections 9.5 and 9.6, shall not exceed two each for the person charged and the Administrative Officer.

9.7 The Disciplinary Action Committee shall consider the findings of the Hearing Officer. It may consider other matters in the record. It may not receive new evidence, and it shall be bound by findings of the Hearing Officer made pursuant to Section 8.1. Within five college working days of receipt of the findings and report of the Hearing Officer, the Disciplinary Action Committee shall submit its recommendation to the President. Based on the findings and the record, the Disciplinary Action Committee shall find as to each person charged whether the facts as found by the Hearing Officer constitute grounds for disciplinary action in all cases in which any of the following subdivisions of Education Code Section 24306 are charged as a cause for disciplinary action: "(a)" (immoral conduct), "(b)" (unprofessional conduct), "(c)" (dishonesty), "(d)" (incompetency), "(e)" (physical or mental unfitness for the position occupied), and "(f)" (failure or refusal to perform the normal and reasonable duties of the position). If the Disciplinary Action Committee finds any of the foregoing grounds for disciplinary action are established by the evidence, and in all cases in which the Hearing Officer has found a cause for discipline to be established by the evidence as provided in Section 8.1-b, the Disciplinary Action Committee shall recommend to the President what disciplinary action, if any, should be taken as provided below. Otherwise it shall advise the President that no cause for discipline exists.

The Disciplinary Action Committee may refer questions, if any, to the Hearing Officer for clarification.

If a cause for disciplinary action exists, the recommendation of the Committee to the President may include:

a. Dismissal with denial of access to the campus and all college facilities for a period not to exceed one year.
b. Dismissal.
c. Demotion.
d. Suspension with denial of access to the campus and all college facilities for the period of the suspension.
e. Suspension.
f. A written reprimand.
g. An oral reprimand.
h. No action.

9.8 Upon arriving at a recommendation, the Disciplinary Action Committee shall forthwith transmit to the President, the Hearing Officer, the Administrative Officer and the person charged, a written statement of its recommendations which may include such justification for those recommendations as the Committee deems appropriate.

Section 10.0 **Action by the President**

10.1 The President shall decide what disciplinary action should be taken, if any, within five college working days of the time he receives the recommendation of the Disciplinary Action Committee, or as soon thereafter as possible.

10.2 If no disciplinary recommendation is received by the President within the five day period provided in Section 9.7, the President shall nevertheless determine the appropriate disciplinary action to be taken.

10.3 The President may return the matter to the Hearing Officer for clarification or further proceedings as appropriate.

10.4 The decision of the President shall concur with the recommendations of the Disciplinary Action Committee except in rare instances when, in the opinion of the President, compelling reasons exist for a different result. In the event that the President's decision is not in accord with the Disciplinary Action Committee's recommendation, the compelling reasons for his decision shall be stated in detail and in writing to the person charged and to the Disciplinary Action Committee. Copies shall also be sent to the Hearing Officer and to the Administrative Officer. At this time, the President and the Disciplinary Action Committee shall make an effort to resolve their differences regarding disposition of the case. In the event that no such resolution of differences is made, the decision of the President on each case is final at the college level.

10.5 The President shall forward his recommendation for disciplinary dismissal, demotion, or suspension to the Chancellor for appropriate subsequent action. It shall be accompanied by the recommendations made to the President by the Hearing Officer and by the Disciplinary Action Committee pursuant to Section 9.8, except as the latter recommendation may be modified pursuant to Section 10.4.

Section 11.0 **Subsequent Action**

11.1 The Chancellor or his designee shall take such action on any recommendation of the President, as he considers appropriate.

11.2 Where appropriate, notice of disciplinary action shall be prepared and served pursuant to Education Code Section 24308, in which event the person charged may appeal to the State Personnel Board and, as authorized by law, receive a **de novo** hearing before that agency.

Section 12.0 **Other Provisions**

12.1 An academic employee of a State College who is accused of conduct as described in Section 1.1, alleged to have been committed at another State College, shall be subject to disciplinary action at the campus with respect to which the violation is alleged to have occurred, and all references to the President, the Administrative Officer, and the Hearing Officer shall refer to those persons at that campus; provided that a Disciplinary Action Committee of the College at which the person charged is an academic employee, shall be empaneled and make recommendations as provided in Section 9, and the President of that College shall make the final campus decision with respect to discipline.

12.2 Arguments by the person charged or his adviser concerning the legal (as distinguished from factual) applicability, or legal validity of any provision on the basis of which he is charged, or of these Procedures, shall not be addressed to the Hearing Officer, but to the President, as soon as the hearing has concluded. The President shall seek advice on the matter from the Office of General Counsel. The advice received from that office shall be considered by the President before a final campus decision is rendered.

12.3 Technical departures from these Procedures and errors in their application shall not be grounds for the President or the Chancellor to withhold disciplinary action unless, in the opinion of the President or the Chancellor, the technical departures or errors were such as to have prevented a fair and just determination of the issues.

12.4 These Procedures are to provide an internal means for the determination of those matters which should proceed to formal disciplinary action pursuant to Education Code Section 24308. It is not intended either that they or any error in their application be relevant to, or provide a basis for, review by the State Personnel Board, or by any Court reviewing action of the State Personnel Board in a State College disciplinary matter.

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Appendix

Title 5, California Administrative Code Sections:*

47201. **Consultative Procedure.** Each college shall develop, as soon as practicable, procedures whereby tenured members of the faculty shall be involved in recommendations to the president or his designee relating to academic personnel matters. Such procedures shall be submitted to the Chancellor and the Trustees for approval.

The Chancellor shall make every effort, insofar as practicable, to encourage uniform procedures among the colleges.

47201. **Consultative Procedure.** It is the policy of the Trustees that faculty be consulted on academic personnel matters. Each college shall develop college-wide procedures whereby only members of the faculty who are tenured, and such department chairmen and academic administrators as the college procedures shall provide, may participate at any level of consideration in the deliberations or vote on recommendations relating to appointment, retention, tenure or promotion of faculty. The procedures shall provide that those making such recommendations should consider information from other faculty members and any other source, including, but not limited to students.

The college-wide procedures shall be consonant with the regulations, policies and procedures of the Board of Trustees and the Chancellor and shall be approved by the president.

43522. **Temporary Suspension.** When there is strong and compelling evidence that the presence of an employee on his job might create serious problems, if such evidence were subsequently proven to be correct, a president or the Chancellor may temporarily suspend an employee pending investigation and/or the furnishing of formal notice of disciplinary action pursuant to Section 24308 of the Education Code. Unless earlier terminated by the President or the Chancellor, as the case may be, such temporary suspension shall automatically terminate upon the furnishing of formal notice of disciplinary action or, unless extended as provided by this section 30 days after its commencement, whichever first occurs.

The date for such automatic termination of the period of temporary suspension, where no furnishing of formal notice of disciplinary action has occurred, may be extended upon the written statement of the employee addressed to the president or the Chancellor, as the case may be requesting such extension.

Suspension under this section shall not prejudice the case of the employee or any rights he may be provided under this article.

43525. **Disciplinary Action Procedures for Academic Personnel.** The Chancellor shall prescribe, and may from time to time revise, Disciplinary Action Procedures for Academic Personnel of the California State Colleges. These procedures shall be applicable to all full-time tenured and probationary academic employees, including those on leave of absence with or without pay. The Chancellor shall report to the Board on procedures issued or revised pursuant to this section.

43526. **Disruption of Campus Activities.** Notwithstanding any provision in this Subchapter 6 to the contrary, any employee of the California State Colleges who, following appropriate procedures at the college, is found to have disrupted or to have attempted to disrupt, by force or violence, any part of the instructional program of a state college, or any meeting, recruiting interview or other activity authorized to be held or conducted at the college, may, in the discretion of the President, be disciplined pursuant to Section 24306 of the Education Code.

Education Code Sections:

22505 The chief administrative officer of a junior college, state college, or state university, after a prompt hearing of the facts, shall take appropriate disciplinary action against any student, member of the faculty, member of the support staff, or member of the administration of the junior college, state college, or state university who has been convicted of a crime arising out of a campus disturbance or, after a hearing by a campus body, has been found to have willfully disrupted the orderly operation of the campus. Nothing in

*Since the issuance of Executive Order 113 there has been a change in Section 42701 of Title 5. It now reads: 42701 **Consultative Procedure.** It is the policy of the Trustees that faculty be consulted on academic personnel matters. Each college shall develop college-wide procedures whereby only members of the faculty who are tenured, and such department chairmen and academic administrators as the college procedures shall provide, may participate at any level of consideration in the deliberations or vote on recommendations relating to appointment, retention, tenure or promotion of faculty. The procedures shall provide that those making such recommendations should consider information from other faculty members and any other source, including, but not limited to students.

The college-wide procedures shall be consonant with the regulations, policies and procedures of the Board of Trustees and the Chancellor and shall be approved by the president.

this section shall be construed to prohibit, where an immediate suspension is required in order to protect lives or property and to insure the maintenance of order, interim suspension pending a hearing; provided that a reasonable opportunity be afforded the suspended person for a hearing within 10 days. The disciplinary action may include, but need not be limited to, suspension, dismissal, or expulsion. The provisions of Sections 24308 to 24310, inclusive, shall be applicable to any state college employee dismissed pursuant to this section. The chief administrative officer of each such institution shall submit periodic reports as to the nature and disposition of cases acted upon pursuant to this section to his governing board.

24306. A permanent or probationary academic or nonacademic employee may be dismissed, demoted, or suspended for the following causes:

(a) Immoral conduct.
(b) Unprofessional conduct.
(c) Dishonesty.
(d) Incompetency.
(e) Physical or mental unfitness for position occupied.
(f) Failure or refusal to perform the normal and reasonable duties of the position.
(g) Conviction of a felony or conviction of any misdemeanor involving moral turpitude.
(h) Fraud in securing appointment.
(i) Drunkenness on duty.
(j) Addiction to the use of narcotics or habit forming drugs.

24308. Notice of dismissal, demotion or suspension for cause of an academic or nonacademic employee shall be in writing, signed by the Chancellor or his designee and be served on the employee, setting forth a statement of causes, the events or transactions upon which the causes are based, the nature of the penalty and the effective date, and a statement of the employee's right to answer within 20 days and request a hearing before the State Personnel Board.

Notice of the reassignment of an administrative employee pursuant to Section 22607 shall be in writing and shall be served on the employee setting forth a statement of the employee's right to answer within 20 days and request a hearing before the Trustees but only on the question of whether the position to which he is reassigned is commensurate with his qualifications.

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Government Code Section:

18025. All employees shall be entitled to the following holidays: the first day of January, the 12th day of February, the third Monday in February, the last Monday in May, the fourth day of July, the first Monday in September, the ninth day of September, the second Monday in October, the fourth Monday in October, the 25th day of December, every day on which an election is held throughout the state, and every day appointed by the Governor of this state for a public fast, thanksgiving, or holiday.

When a day herein listed falls on a Sunday, the following Monday shall be deemed to be the holiday in lieu of the day observed. Any employee who may be required to work on any of the holidays herein mentioned, and who does work on any of said holidays, shall be entitled to be paid compensation or given compensating time off for such work within the meaning of this article. For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, or compensating time off, shall be considered as time worked by the employee.

Penal Code Section:

(a) The chief administrative officer of a campus or other facility of a junior college, state college, or state university, or an officer or employee designated by him to maintain order on such campus or facility, may notify a person that consent to remain on the campus or other facility under the control of the chief administrative officer has been withdrawn whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.

(b) Whenever consent is withdrawn by any authorized officer or employee other than the chief administrative officer, such officer or employee shall as soon as is reasonably possible submit a written report to the chief administrative officer. Such report shall contain all of the following:

(1) The description of the person from whom consent was withdrawn, including, if available, the person's name, address, and phone number.

(2) A statement of the facts giving rise to the withdrawal of consent.

If the chief administrative officer or, in his absence, a person designated by him for this purpose, upon reviewing the report, finds that there was reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus or facility, he may enter written confirmation upon the report of the action taken by the officer or employee. If the chief admin-

istrative officer or, in his absence, the person designated by him, does not confirm the action of the officer or employee within 24 hours after the time that consent was withdrawn, the action of the officer or employee shall be deemed void and of no force or effect, except that any arrest made during such period shall not for this reason be deemed not to have been made for probable cause.

(c) Consent shall be reinstated by the chief administrative officer whenever he has reason to believe that the presence of the person from whom consent was withdrawn will not constitute a substantial and material threat to the orderly operation of the campus or facility. In no case shall consent be withdrawn for longer than 14 days from the date upon which consent was initially withdrawn. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. Such written request shall state the address to which notice of hearing is to be sent. The chief administrative officer shall grant such a hearing not later than seven days from the date of receipt of such request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.

(d) Any person who has been notified by the chief administrative officer of a campus or other facility of a junior college, state college, or state university, or by an officer or employee designated by the chief administrative officer to maintain order on such campus or facility, that consent to remain on the campus or facility has been withdrawn pursuant to subdivision (a); who has not had such consent reinstated; and who willfully and knowingly enters or remains upon such campus or facility during the period for which consent has been withdrawn is guilty of a misdemeanor. This subdivision does not apply to any person who enters or remains on such campus or facility for the sole purpose of applying to the chief administrative officer for the reinstatement of consent or for the sole purpose of attending a hearing on the withdrawal.

(e) This section shall not affect the power of the duly constituted authorities of a junior college, state college, or state university to suspend, dismiss, or expel any student or employee at such university or college.

(f) Any person convicted under this section shall be punished as follows:

59 (1) Upon a first conviction, by a fine of not exceeding five hundred dollars ($500), by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

(2) If the defendant has been previously convicted once of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 10 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and he shall not be released on probation, parole, or any other basis until he has served not less than 10 days.

(3) If the defendent has been previously convicted two or more times of a violation of any offense defined in this chapter or Section 415.5, by imprisonment in the county jail for a period of not less than 90 days or more than six months, or by both such imprisonment and a fine of not exceeding five hundred dollars ($500), and he shall not be released on probation, parole, or any other basis until he has served not less than 90 days.

Delegation of Authority of the President Under Executive Order No. 113

Effective March 1, 1972, as authorized in Section 2.2 of Executive Order 113, the President has delegated to the Associate Vice President for Academic Affairs — Academic Personnel the authority to perform the functions of the President of California State University, Long Beach, as described in said Executive Order, in all matters preliminary to those procedures as described in Section 10.0 as by the President. Those functions, as therein and thereafter described as those of the President, shall be performed by the President of the University.

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Executive Order No. 201
Grievance Procedures for Academic Personnel of the California State University and Colleges

Sections

1 Purpose and Scope
2 Authority of President
3 Definitions and Grounds
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5 Initiation
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17 Construction of These Procedures

This Executive Order is issued under the authority, separately and in combination as applicable, of Education Code Sections 22600, 22604, 22607, 23604, 23605 and 24201, Sections 42701 and 43750 of Title 5 of the California Administrative Code, and the Standing Orders, Rules of Procedure and resolutions of the Board of Trustees.

1. Except as provided in this Executive Order, the Grievance Procedures for Academic Personnel of The California State University and Colleges are established, effective this date, for The California State University and Colleges, and shall govern grievance proceedings with respect to academic employees according to its terms. A copy of these Procedures is attached to, and made a part of, this Executive Order.
2. As provided in these Procedures, they supersede other procedures previously in force in The California State University and Colleges.
3. These Procedures shall be made available to all academic personnel covered by its terms.
4. If, in the judgment of the President of a new or small campus of The California State University and Colleges, there are particular provisions in these Procedures which appear impractical to institute during an identified period of time, he or she may request the Chancellor to waive such requirements in the case of the particular campus. The Chancellor shall review such requests and take action as appropriate.

Dated: June 10, 1974

Glenn S. Dumke, Chancellor

1.0 **Purpose and Scope**

1.1 All grievance procedures previously adopted for faculty members and academic employees are hereby revoked except as provided in Section 1.3.

1.2 The Grievance Procedures herein provided are established under the authority, separately and in combination, as applicable, of Education Code Sections 22600, 22604, 22607, 23604, 23605 and 24201, Sections 42701 and 43750 of Title 5, California Administrative Code, and the Standing Orders, Rules of Procedure and resolutions of the Board of Trustees, and are intended to be applicable to all campuses of The California State University and Colleges.

1.3 Grievance proceedings under the Interim Procedures for Handling Grievances and Personnel Complaints of Academic and Administrative Personnel (issued in 1961) or under Executive Orders 56, 80, 112, 150 or 173 which were commenced but not concluded by the effective date of this Executive Order, may continue under the procedures of the respective Interim Procedures or Executive Order, except that there shall be no review by the Chancellor and no Chancellor's Review Committee. Instead, Sections 15.0 through 17.0 of these Procedures shall apply. For those who have filed grievances prior to the effective date of this Executive Order, if their grievances have not yet been heard, they may elect to have them heard pursuant to either the Executive Order specifying grievance procedures for academic personnel in effect on the date of filing of their grievances or this Executive Order. An election once made may not thereafter be changed.

1.4 It shall not be the function of any Hearing Officer or Grievance Committee to act as an appellate personnel committee. If a finding is made that a prior committee or administrator substantially departed from required procedures, and such departure was substantially prejudicial to the grievant, or that substantial evidence favorable to the grievant was ignored, or that under the circumstances, it was arbitrary to take the action of which the grievant complains, the Committee shall recommend to the President either:

1.4.1 that the appropriate faculty committee or administrator reconsider the matter and make a recommendation to the President in accordance with established procedure; or

1.4.2 that such action as the Committee specifies be taken by the President.

1.5 These Procedures may be utilized by all full-time academic employees, both tenured and probationary of The California State University and Colleges, including those on leave of absence with or without pay.

1.6 The purpose of these Procedures is to provide an equitable means of correcting actions taken by The California State University and Colleges which directly aggrieve academic employees. It is intended that a grievance proceeding be initiated only in the gravest situations involving serious injustice to an academic employee.

When a grievance hearing is initiated, it thus may be assumed that a major problem is manifest. For this reason, the Grievance Procedures are deliberately precise. Attempts to resolve the areas of discontent by informal discussion shall precede, continue through, and preferably be a reason for terminating a grievance proceeding.

2.0 **Authority of the President**

2.1 All determinations and findings under these Procedures made at the campus level by anyone other than the President are in the nature of recommendations to the President, who shall have final authority at the campus level.

2.2 The functions of the President as described in these Procedures, may be delegated by him to designees who are employees of the campus, and who shall exercise those functions in his name. However, the President shall be responsible for any action taken under his authority. All references in these Procedures to the "President" mean the President of the campus at which the grievant is employed and include such designees.

3.0 **Definition and Grounds for Grievance**

3.1 As used in these Procedures, a "grievance proceeding" is a proceeding initiated by an academic employee who claims that he was directly wronged in connection with the rights accruing to his job classification, benefits, working conditions, appointment, reappointment, tenure, promotion, reassignment, or the like. Such an action seeks correction of that asserted wrong. Such an asserted wrong may grow out of an arbitrary action, out of a substantial departure from required procedures when such departure was substantially prejudicial to the grievant, or because substantial evidence favorable to the grievant was ignored. It does not arise from an unarbitrary exercise of discretion made pursuant to applicable procedures, nor does it arise from a minor defect in procedure, that is, one which probably did not affect an ultimate substantive decision. A grievance complains of a campus decision or action; it does not lie against any individual. A grievance proceeding is to be distinguished from a disciplinary action proceeding which does not give rise to correction of the

effects of the wrongdoing, but instead looks to a dismissal, demotion, or suspension, or the imposition of some lesser sanction upon the wrongdoer.

3.2 A grievance proceeding may not be initiated for an asserted wrong arising out of either a disciplinary action proceeding or a grievance proceeding where the academic employee seeking the grievant in the prior proceeding.

3.3 Only final decisions are subject to review by a grievance proceeding; grievance proceedings may not be brought to review recommendations of faculty committees or of administrators. A final decision may be the subject of only one grievance proceeding by any grievant. The President or his designee shall determine whether a particular decision complained of is a final decision, and whether it was the subject of a previous grievance proceeding commenced by the same grievant. A grievance proceeding may not be brought to review such determinations of the President or his designee.

3.4 As used in these Procedures, "college working day" shall mean any day during the college year, other than a Saturday, Sunday, or campus academic holiday as that term is used in 5 California Administrative Code Section 42800.

3.5 As used in these Procedures, "campus" shall mean any of the institutions included within The California State University and Colleges as specified in Section 23601 of the Education Code.

4.0 **Informal Solution**

4.1 The grievant is urged to make a reasonable attempt to resolve the problem amicably on an informal basis.

4.2 Any statements made in the course of such informal discussions shall not be admissible in the subsequent grievance proceeding, should it be initiated.

5.0 **Initiation**

5.1 A grievance proceeding shall be initiated by written Notice of Grievance sent by the grievant or grievants to the President. Such notice shall:

5.1.1 Contain a concise statement of the facts giving rise to the grievance.

5.1.2 State the relief sought.

5.1.3 If the grievant wishes that his hearing not be conducted by a Hearing Officer, and if he does not wish to have a person represent him at the grievance hearing, he may waive a hearing by a Hearing Officer and representation, by including in the Notice of Grievance a request that his hearing be conducted by a grievance committee.

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5.1.4 If the grievant wishes to have a person represent him at the grievance hearing, the Notice of Grievance shall include a statement to that effect, stating the name, address and telephone number of that person.

5.2 On the same date the Notice of Grievance is sent to the President, a copy of the notice shall be sent to:

5.2.1 The appropriate Department Chairman,

5.2.2 The appropriate Dean,

5.2.3 The Academic Vice President or equivalent officer, and the President shall be so notified.

5.3 A more detailed written statement of the case may be sent by the grievant or grievants to the President with copies to the persons designated in Section 5.2 of these Procedures within 10 college working days of the date on which the Notice of Grievance was sent.

6.0 **Period of Limitation**

6.1 If the grievance results from a single event, a grievance proceeding shall not be initiated more than 20 college working days after the grievant has learned of the event, provided that a grievance proceeding may not be instituted more than one calendar year after the occurrence of such event, regardless of the date of discovery. A grievance may result from a series of events over a period of time. In such case, these Procedures may not be used later than 20 college working days after the grievant has learned of the most recent of these events, provided that a grievance proceeding may not be instituted more than one calendar year after the occurence of the most recent of such events, regardless of the date of discovery.

6.2 For those who deferred filing a grievance during the operative period of Executive Order No. 173, the 20-day time limit specified in Section 6.1 shall not include the period from and including March 5 to and through the effective date of this Executive Order.

7.0 **Grievance Panel**

7.1 Each campus shall have a Grievance Panel.

7.2 The Grievance Panel shall consist of all tenured academic employees of the campus holding the rank of professor or associate professor, holding full-time appointments, and assigned at least two-thirds time to teaching or research, or both.

8.0 **Selection of Grievance Committee**

8.1 Within three college working days following the day of receipt of the Notice of Grievance, the President shall cause a Grievance Committee of three members to be selected by lot from among the members of the Grievance Panel. The grievant, members of his department or equivalent administrative unit, and persons directly involved in the action or decision which is the subject of grievance as well as persons who made recommendations as to such actions or decisions shall be excluded from membership in the Panel during this selection.

The grievant and the persons receiving notice pursuant to Section 5.2 of these Procedures shall be notified in advance of the date, time and place of selection and may be present at the time of selection if they wish to excuse or challenge any persons selected.

8.2 Service as a member of the Grievance Panel, as a member of the Grievance Committee, and as a member of the ad hoc panel described in Section 8.4 of these Procedures, unless excused by the President for good cause, is part of the normal and reasonable duties of each employee designated in Section 7.2 of these Procedures during the periods of the year when he is required to furnish services to the college.

8.3 The grievant and those persons listed in Section 5.2 of these Procedures may excuse up to two persons from those selected for the Committee without cause. Each may challenge any person selected for membership on the Committee because he is related to the grievant or to any person directly involved in the action or decision which is the subject of the grievance or to any person who made recommendations as to such actions or decisions, or because of past association with such persons which would prejudice his judgment to the degree that it appears that a fair hearing could not be had. The President shall determine whether the facts present grounds for disqualification and his decision shall be final.

8.4 If the list of Panelists becomes exhausted before all three members of the Committee can be appointed, the President of the closest neighboring campus of The California State University and Colleges to the campus attempting to select a Committee shall, upon request by the President of the campus where the grievance has been filed, select by lot from the Grievance Panel at that neighboring campus an ad hoc panel of 20 persons. Utilizing this panel, the procedures provided in Sections 8.1-8.3 of these Procedures will be implemented by the President of the campus where the grievance has been initiated. Should this ad hoc panel become exhausted, it shall be replenished by the means by which it was established.

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9.0 **Initial Determination**

9.1 The Grievance Committee shall determine on the basis of the Notice of Grievance and any written statement of the case submitted pursuant to Section 5.3 of these Procedures whether there are sufficient facts asserted to make it appear that grounds for a grievance proceeding exist, and that a hearing should be held. An affirmative determination shall be made only if all criteria and procedural requirements stated in Sections 1, 3, 5 and 6 of these Procedures have been fully met.

9.2 The initial determination shall be made by majority vote of the Grievance Committee and written notice thereof sent pursuant to Section 9.4.3 of these Procedures within five college working days of the appointment of the third member of the Grievance Committee. Should that fifth day end without such determination and written notice having been made, the President shall make the initial determination and send notice thereof pursuant to Section 9.4.3 of these Procedures within the next two college working days. Should the President not make and announce such decision within the allotted time, the matter shall proceed to hearing as though an affirmative determination had been made and announced on the seventh college working day after appointment of the third member of the Grievance Committee.

9.3 If the initial determination is negative, the Notice of Initial Determination shall state the reasons for that negative decision, and there shall be no further proceedings under these Procedures.

9.4 Where the initial decision is affirmative, two kinds of hearings are available:

9.4.1 If the grievant waives representation by another person and having his case heard by a Hearing Officer, the hearing shall be conducted by a Grievance Committee. The date selected for the hearing shall be within fifteen college working days of the date of the Notice of Initial Determination (Section 9.4.3 below). Once set, it may only be extended by the Chairman of the Grievance Committee (see Section 12.3 of these Procedures) for reasons which, in his opinion, are compelling. In setting the date, and granting extensions, the time restriction in Section 13.3 of these Procedures should be kept in mind.

9.4.2 If the grievant does not waive representation by another person and having his case heard by a Hearing Officer, the campus administration shall arrange

for a Hearing Officer to conduct the grievance hearing. This arrangement shall be made with the nearest office of the Office of Administrative Hearings or with a Hearing Officer appointed for the purpose. If the grievant's representative is to be a person admitted to the practice of law before any state or federal court, the campus administration shall notify the Office of General Counsel. The hearing date, once set, may only be extended by the Hearing Officer to the case for reasons which, in his opinion, are compelling.

9.4.3 The grievant, the President, and those persons listed in Section 5.2 of these Procedures shall be sent an appropriate Notice of Initial Determination, and shall be advised of the date, time and place of the hearing.

10.0 **Procedural Rules for Hearings (Hearing Officers)**

10.1 The rules in this Section 10.0 shall apply to hearings conducted by a Hearing Officer.

10.2 No later than the time when arrangements are made for a Hearing Officer to hear the case, if the grievant's representative is to be a person admitted to the practice of law before any state or federal court, the campus administration shall notify the Office of General Counsel that such arrangements are being made. That Office will provide an attorney to represent the campus at the hearing.

10.3 Once a Hearing Officer has commenced to hear the case, the grievant may not thereafter elect to have the case heard by a Grievance Committee.

10.4 A grievant may challenge the Hearing Officer for cause by submitting a written statement to the Chancellor, with a copy to the President setting forth facts which establish that:

10.4.1 The Hearing Officer was a participant in the events out of which the action arose, other than events connected with the conduct of a hearing.

10.4.2 The Hearing Officer is related to or has had past association with any person affected by the events giving rise to the action, which past association is of a kind which would prejudice his judgment to the degree that it appears that a fair hearing could not be had. "Past association" does not include an association acquired in connection with a previous hearing.

The President shall determine whether the facts present grounds for disqualification and his decision shall be final. The Hearing Officer may disqualify himself on his own motion. No peremptory challenges may be made.

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10.5 The Hearing Officer may obtain advice, as needed, from the Office of the Chancellor.

10.6 The campus shall arrange for making an audio tape of any and all proceedings conducted by the Hearing Officer. No recording by the grievant or by other persons at the hearing will be permitted, but the grievant, at his own expense, may furnish a certified court reporter provided that a copy of the transcript made is promptly furnished to the President at no cost to the campus, and that use of such transcript shall be limited to this or subsequent administrative and judicial proceedings held in connection with the matter.

10.7 At the hearing, the grievant shall present his evidence, following which other evidence shall be received. The grievant shall have the burden of persuading by preponderance of the evidence.

10.8 Consolidated Hearings

10.8.1 Where more than one grievant complaining of a wrong arising out of the same set of facts has a hearing pending, the hearings may be consolidated with the approval of all such grievants and of the Hearing Officer first designated to hold such hearings. The consolidated hearing shall be conducted by that Hearing Officer.

10.8.2 If a grievance to be conducted by a Hearing Officer is consolidated with a hearing to be conducted by a Grievance Committee pursuant to Section 12.11, the consolidated hearing shall be conducted by a Hearing Officer.

10.8.3 The separation of one or more cases from a group of cases previously set for a consolidated hearing shall not be considered to affect the remaining cases in the group.

10.8.4 If there is a consolidation of cases wherein one of the grievants is represented by an attorney admitted to practice law before any state or federal court, an attorney from the Office of General Counsel will represent the campus at the consolidated hearing.

10.9 The Hearing Officer:

10.9.1 Shall make all rulings on matters relating to the conduct of the hearing, including matters regarding admission of evidence.

10.9.2 Shall request attendance of witnesses as requested by or on behalf of the grievant and on behalf of those persons listed in Section 5.2 of these Procedures.

10.9.3 Shall maintain an orderly hearing and permit no person to be subjected to abusive treatment. He may eject or exclude anyone who refuses to be orderly. Should he exclude the grievant, he shall make such provision as is practical in his behalf.

10.9.4 May recognize the representative of the grievant and the representative of the campus for the purpose of questioning witnesses or presenting argument, evidence or requests to the Hearing Officer. The Hearing Officer may also question winesses.

10.9.5 Shall instruct each witness and other participants and observers on the policy of confidentiality contained in Section 10.11 of these Procedures.

10.9.6 Shall make such further rules for the conduct of the hearing as he deems appropriate, not inconsistent with these procedures.

10.10 Persons Who May Attend Hearings; Confidentiality

10.10.1 Hearings shall be closed to everyone other than the person conducting the hearing, the grievant, his representative, if any, those persons listed in Section 5.2 of these Procedures, the representative of the campus, the person designated by the campus to record the hearing pursuant to Section 10.6 of these Procedures, witnesses while they are presenting evidence, and the representatives of not more than two faculty organizations as provided in this Section.

10.10.1.1 The grievant and the President may each authorize one person who is a representative of a professional faculty organization or of the Academic Senate or Council of the College to attend the hearing as an observer.

10.11 It is the policy of The California State University and Colleges that evidence, proceedings, findings and recommendations (but not the final decision of the President) are confidential and shall not be made public by the campus or by any participant in a hearing, including the faculty organization or Senate or Council observers, except as any of the foregoing may be filed in court or introduced as evidence in an administrative or court proceeding brought to review an action taken pursuant to these Procedures. In the event these matters should become public, however, the President may authorize such public statements as are appropriate. This policy of confidentiality shall not preclude the campus from taking any action following appropriate procedures against any person or entity on the basis of evidence developed at the hearing.

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10.12 Evidence

10.12.1 Formal rules of evidence shall not apply.

10.12.1.1 Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that there are statutory bases for their application and irrelevant and unduly repetitious evidence shall be excluded.

10.12.2 No evidence other than that received at the hearing shall be considered by the Hearing Officer.

10.13 Arguments by the grievant concerning the legal (as distinguished from factual) applicability, or legal validity of any statute, regulation, resolution of the Board of Trustees, Standing Order, or Chancellor's Executive Order, shall not be addressed to the Hearing Officer, but to the President, as soon as the hearing has concluded. The President shall seek advice on the matter from the Office of General Counsel. The advice received from that office shall be considered by the President before a final campus decision is rendered.

10.14 Unless a longer period of time is agreed to by the grievant, the President must normally receive the Hearing Officer's report within 30 college working days from the commencement of the hearing by the Hearing Officer.

10.14.1 Other than as required for the convenience of the Hearing Officer, extensions of time for hearings shall be authorized only for good and compelling reasons.

11.0 **Findings and Conclusions of the Hearing Officer**

11.1 Following presentation of evidence, the Hearing Officer shall privately consider the evidence and shall prepare written findings of fact and conclusions. He may review the audio tape as needed.

11.1.1 In deciding upon his findings and conclusions, the Hearing Officer must find against the grievant unless the grievant has persuaded him by a preponderance of the evidence that:

11.1.1.1 A prior committee or administrator substantially departed from required procedures, and that such departure was substantially prejudicial to the grievant, or

11.1.1.2 Substantial evidence favorable to the grievant was ignored in arriving at a decision affecting him, or

11.1.1.3 Under the circumstances, no reasonable, unbiased person faced with the same facts could have taken the action of which the grievant complains,

or any combination of these.

11.2 Within three college working days of the conclusion of the hearing or as soon thereafter as possible, the Hearing Officer shall submit his findings and conclusions to the President who shall make a copy available to the Grievance Committee.

12.0 **Grievance Committee Procedural and Hearings Rules**

12.1 A grievant who elects not to be represented at a hearing by any person, may also elect not to have his grievance heard by a Hearing Officer, but to be heard instead by a Grievance Committee as provided in this Section (12.0).

12.2 Decisions of the Grievance Committee, except rulings made by its chairman (see Sections 12.4 and 12.5 of these Procedures), shall be by majority vote of the three members.

12.3 Upon first convening, the Grievance Committee shall elect a Chairman and acquaint itself with these Procedures.

12.4 Unless overruled by a majority of the Grievance Committee, rulings of the Chairman shall be final on all questions except those pertaining to the initial determination and the substance of the findings and recommendations of the Committee which are sent to the President. All other provisions of these Procedures pertaining to the authority of the Chairman shall be subject to this section.

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12.5 The Chairman may establish such other rules, within the general guidelines of these Procedures, as he deems necessary.

12.6 The Grievance Committee, through its Chairman, may obtain advice, as needed, from the Office of the Chancellor.

12.7 Two members of the Grievance Committee, one of whom must be the Chairman, shall constitute a quorum for transaction of the business of the Committee. No member who is absent during any part of the hearing may participate in the preparation of findings and recommendations of the Committee without first listening to the tape recording of the portion of the hearing conducted in his absence.

12.8 The Chairman of the Grievance Committee shall arrange for tape recording, but not a transcription, of the hearing. No other recording of the hearing shall be permitted.

12.9 Once a grievance has been set for hearing, the grievant may withdraw all or any part of his grievance only with the consent of the Grievance Committee. Once the hearing has been completed, the grievant cannot withdraw his grievance.

12.10 At the hearing, the grievant shall present his evidence, following which other evidence shall be received. The grievant shall have the burden of persuading by a preponderance of the evidence.

12.11 Where more than one grievant complaining of a wrong arising out of the same set of facts has a hearing pending, the hearing may be consolidated with the approval of all such grievants and of the Grievance Committee first appointed to hold such hearings. The consolidated hearing shall be conducted by that Grievance Committee. This Section 12.11 is subject to Section 10.8 of these Procedures.

12.12 The grievant and those persons listed in Section 5.2 of these Procedures shall be permitted to be present at all proceedings of the hearing whenever any evidence is being presented, and, subject to recognition by the Chairman of the Grievance Committee, shall be permitted to:

12.12.1 Examine all evidence presented to the Grievance Committee.

12.12.2 Present evidence available to them and to question witnesses. Written statements may be accepted in evidence by the Grievance Committee but only from persons unable, in the opinion of the Grievance Committee, to attend the hearing. Such inability shall be found only in cases of serious illness or death of the witness or a member of his family, physical absence from the area due to preexisting plans which cannot conveniently be changed, and the like.

12.12.3 Present an oral or written argument, or both, prior to the conclusion of the hearing.

12.13 The Chairman of the Grievance Committee shall:

12.13.1 Call witnesses before the Committee as requested by the grievant and those persons listed in Section 5.2 of these Procedures and by members of the Grievance Committee.

12.13.2 Maintain an orderly hearing and permit no person to be subjected to abusive treatment. He may eject or exclude anyone who refuses to be orderly.

12.13.3 Instruct each witness and other participants and observers on the policy of confidientiality contained in Section 12.15.1.2 of these Procedures.

12.14 No person shall be represented by another person.

12.15 At the hearing, the members of the Grievance Committee may ask questions of any witness or other person present at the hearing.

12.16 Persons Who May Attend Hearing; Confidentiality

12.16.1 Hearings shall be closed to everyone other than members of the Grievance Committee, the grievant, the President, those persons listed in Section 5.2 of these Procedures, the tape recorder operator, if any, witnesses while they are presenting evidence, and the representatives of not more than two faculty organizations as provided in this Section.

12.16.1.1 The grievant and the President may each authorize one person who is a representative of a professional faculty organization or the Academic Senate or Council of the campus to attend the hearing as an observer. Such representatives shall not be attorneys admitted to practice law before any state or federal court.

12.16.1.2 It is the policy of The California State University and Colleges that evidence, proceedings, findings and recommendations (but not the final decision of the President) are confidential and shall not be made public by the campus or by any participant in a hearing, including the faculty organization or Senate or Council observers, except as any of the foregoing may be filed in court or introduced in evidence in an administrative or court proceeding brought to review an action taken pursuant to these Procedures. In the event these matters should become public, however, the President may authorize such public statements as are appropriate. This policy of confidentiality shall not preclude the campus from taking any action following appropriate procedures against any person or entity on the basis of evidence developed at the hearing. 68

12.17 Pursuant to Section 1.4 of these Procedures, if a Grievance Committee finds that a prior committee or administrator substantially departed from required procedures, and such departure was substantially prejudicial to the grievant, or that substantial evidence favorable to the grievant was ignored, or that, under the circumstances, it was arbitrary to take the action of which the grievant complains, the Committee shall report its findings to the President with a recommendation either:

12.17.1 that the appropriate faculty committee or administrator reconsider the matter and make a recommendation to the President in accordance with established procedure; or

12.17.2 that such action as the Committee specifies be taken by the President.

12.18 The hearing shall not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely. Evidence which is merely repetitious or cumulative shall be excluded.

12.19 Arguments by the grievant concerning the legal (as distinguished from factual) applicability, or legal validity of any statute, regulation, resolution of the Board of Trustees, Standing Order, or Chancellor's Executive Order, shall not be addressed to the Grievance Committee, but to the President, as soon as the hearing has concluded. The President shall seek advice on the matter from the Office of General Counsel. The advice received from that Office shall be considered by the President before a final campus decision is rendered.

13.0 **Grievance Committee Recommendations**

13.1 Following conclusion of its hearing, or receipt of the findings of the Hearing Officer, whichever is the case, the Grievance Committee shall meet in executive session, with all other persons excluded. In this session, the Committee shall prepare its findings of fact if it conducted the hearing, and its recommendations to the President for settlement or solution of the grievance. If the hearing was conducted by a Hearing Officer, the Committee shall be bound by its findings and conclusions.

13.2 The Grievance Committee shall make its written report to the President of the campus, with a copy to the grievant. The tape recording of the hearing and the Committee's file on the matter shall be forwarded to the President at this time.

13.3 The President must receive the Grievance Committee report within 30 college working days from the date of the Notice of Initial Determination in those cases where the matter is heard by the Grievance Committee, or within three college working days of the time the Grievance Committee Chairman receives the report of the Hearing Officer in those cases utilizing one. In any case in which such report is not received by the end of the 30th day, or the 3rd day, whichever is applicable, the Grievance Committee shall be foreclosed of jurisdiction in the case. In such case, the Chairman shall immediately furnish to the President the Notice of Grievance, any statement prepared pursuant to Section 5.3, and the Hearing Officer's report, evidence file and hearing tape, if any. The President then shall make such decision in the case as he deems wise, and no further action may be taken in the matter pursuant to these procedures.

13.4 In its deliberations, no evidence other than that received at the hearing shall be considered by the Grievance Committee.

14.0 **Presidential Action**

14.1 Upon receipt of the report of the Grievance Committee, the President of the campus shall review the findings in the case and the recommendations of the Grievance Committee. He shall decide upon the action to be taken in the matter. The decision of the President shall concur with the recommendations of the Grievance Committee except when those recommendations are not supported by the findings and conclusions of a Hearing Officer in the case, or except in rare instances when, in the opinion of the President, compelling reasons exist for a different result.

14.2 In the event that the President's decision is not in accord with the Grievance Committee's recommendations, the President and the Grievance Committee shall make an effort to resolve their differences regarding disposition of the case. If no such resolution occurs, the compelling reasons for the President's decision shall be detailed in his written Notice of Decision.

14.3 Within five college working days of the time he receives the recommendation of the Grievance Committee, or as soon thereafter as possible, the President shall send his Notice of Decision to the grievant and to the Grievance Committee unless he returns the matter to the Hearing Officer or Grievance Committee, as appropriate, for clarification, necessary further proceedings, or reconsideration of Grievance Committee recommendations, in which cases the five college working days shall run from the date the Grievance Committee returns its further report to him. A Grievance Committee may change its recommendations from those forwarded to the President pursuant to Section 13.2. The President then shall make his decision.

14.4 The decisions of the President in each case are final at the campus level.

15.0 **Record**

15.1 If the President's decision is not in accord with the Grievance Committee's recommendations and a request for review is properly filed pursuant to Section 16.0, or if the grievant subsequently commences legal action seeking judicial review of his or her grievance, the grievant, under supervision and at his or her own expense, may obtain a written transcript of the tape recording of the hearing, provided that he or she first sign an agreement with the campus, and furnish the campus with a copy of the transcript when it is completed. This agreement shall provide that use of such a copy shall be limited to subsequent administrative and judicial proceedings held in connection with the matter, that the tape or its contents shall not otherwise be made public in any way, and that any violation of this agreement shall be unprofessional conduct as that term is used in Education Code Section 24306.

15.2 In keeping with the policy stated in Sections 10.11 and 12.16.1.2 of these Procedures, in no case other than that described in Section 15.1 shall a transcript of the tape recording of the hearing be furnished to the grievant. Neither the tape recording itself, nor a copy thereof, shall be furnished to the grievant.

16.0 **Review**

16.1 A grievant who has received a Notice of Decision on his or her grievance from a campus President may request review as provided herein, if the requirements of Section 16.2 are met, by directing a written Request for Review to the State University Dean, Faculty Affairs (Statewide Dean) in the Chancellor's Office, with a copy to the campus President. The Request should have attached copies of the report of the Grievance Committee and the Notice of Decision of the President, and should state the dates of each, the grounds claimed for review (see Section 16.2 of these Procedures), and the facts which support the ground or grounds alleged. The Request must be postmarked within ten college working days of the date of distribution of the President's Notice of Decision.

16.2 Review may be requested only if the Notice of Decision of the President does not concur with the final recommendations of the Grievance Committee, unless that

lack of concurrence was because of failure of the Grievance Committee to base its recommendations on the findings and conclusions on matters of fact made in the case by a Hearing Officer. Such review may be requested only as to those recommendations or portions thereof not concurred in by the President and only on one or more of the following grounds:

16.2.1 Arbitrary action by the President in not accepting the Grievance Committee's recommendations.

16.2.2 Substantially unfair departure from these Procedures which affected the President's decision.

16.2.3 Substantial evidence favorable to the grievant which was ignored by the President.

16.3 Upon receiving a copy of the Request for Review addressed to the Statewide Dean, the President of the campus shall promptly furnish the Statewide Dean with any written answer the campus wishes to make to the Request, as well as copies of the:

16.3.1 Hearing Officer's report, if any,

16.3.2 Grievance Committee's report,

16.3.3 Written arguments, if any, presented to the Grievance Committee or Hearing Officer,

16.3.4 President's Notice of Decision with attachments, if any, and

16.3.5 Tape recording of the hearing.

A copy of the campus answer, if any, without the enclosures just listed, shall simultaneously be sent the grievant.

16.4 If the answer by the campus to the Request alleges that the case is not one in which there is jurisdiction pursuant to Section 16.2 to make a decision on the grievance, the grievant may direct a response to that allegation to the Statewide Dean. In order to be considered, the response must be received within the same period of time as was taken by the campus to answer, but not less than ten college working days from the date of receipt by the Statewide Dean of the materials described in Section 16.3.

16.5 Upon receipt from the campus of the materials described in Section 16.3, the Statewide Dean shall promptly forward the Request and those materials to the Los Angeles regional office of the American Arbitration Association (AAA), for assignment to, and determination by one academically oriented arbitrator admitted to practice law before any state or federal court. The arbitrator shall not be a member or an employee of the Trustees of the California State University and Colleges. If the campus answer objects to the arbitrator's jurisdiction, the Statewide Dean shall defer submitting the matter to the AAA for the period of time authorized by Section 16.4, so that the grievant's response, if any, may be included. If the grievant has requested a transcript pursuant to Section 15.1 and wishes the arbitrator to read all or any part of it, the Statewide Dean shall defer submitting the matter to the AAA until a copy of the transcript is received for forwarding by the Statewide Dean, but such deferral shall not exceed 45 calendar days from date of receipt of the materials described in Section 16.3. After his or her receipt of the materials from the Statewide Dean, the arbitrator shall not delay consideration or decision pending receipt of a transcript.

16.5.1 Arbitrators shall be selected from men and women who are "academically oriented" in order to assure that persons serving in this capacity have a sufficient knowledge about institutions of higher education so as to understand the nature of faculty grievances and the consequences of the resolutions available in each case. The term "academically oriented" includes (but is not limited to) persons who have served in four year institutions of higher education in full-time faculty, administrative or executive positions, as well as persons who have served on public and private boards of such institutions of higher education.

16.6 The action on a Request for Review shall be limited to the grievant or grievants making the appeal unless the Statewide Dean, in his discretion, and with the consent of the grievants and the President consolidates related cases for purposes of review.

16.7 Based upon the materials submitted pursuant to Sections 16.1, 16.3, and 16.4, the AAA shall make an initial determination of whether there are sufficient facts asserted to make it appear that grounds for review exist. The AAA may use an arbitrator for this preliminary purpose selected without utilizing the appointment method provided for in AAA Arbitration Rule 12. Grounds for review shall exist if all of the following appear: The President did not act in accordance with the final recommendations of the Grievance Committee; the Grievance Committee based its recommendations on the findings and conclusions on matters of fact made in the case by a Hearing Officer, if any; one or more of the grounds listed in Sections 16.2.1 through 16.2.3 is asserted for review; and the procedural requirements of Section 16.1 have been followed. Otherwise, a negative determination shall be made.

16.8 In scheduling, cases involving nonretention where there is no terminal notice year shall be given high priority.

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16.9 If it is determined that the matter should be reviewed pursuant to this Section 16.0, an arbitrator appointed by the AAA utilizing the appointment method provided for in AAA Arbitration Rule 12 shall have jurisdiction and authority to decide, based on the materials submitted pursuant to Sections 16.1, 16.3, and 16.4, whether or not

16.9.1 The action of the President in not accepting the Grievance Committee's recommendations was arbitrary, or

16.9.2 There was a substantially unfair departure from these Procedures which affected the President's decision, or

16.9.3 Substantial evidence favorable to the grievant was ignored by the President.

The grievant shall have the burden of proof on all issues before the arbitrator. If the arbitrator finds affirmatively as to any of Sections 16.9.1, 16.9.2, or 16.9.3, then he or she shall decide whether or not

16.9.4 The President's decision should be upheld, in whole or in part, or

16.9.5 The matter should be remanded to the campus with instructions that the action being grieved be reviewed, absent whatever defect was found to have existed in it. Should the arbitrator exercise the option of remand, he or she may retain jurisdiction over the action being contested until the matter is finally concluded on the campus and the arbitrator has had the opportunity to review the decision on remand, or

16.9.6 The Grievance Committee's recommendations should be adopted in whole or in part.

16.10 The review shall be conducted under the Arbitration Rules of the AAA in effect on June 10, 1974, the date these Procedures are issued, except as they may vary from provisions of these Procedures, in which case these Procedures govern. However, all of AAA Rule 7 other than the last sentence shall not apply to such review, nor shall AAA Rules 1, 8, 9, 10, 13, 14, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 34, 39, 40, and 44 apply. The arbitrator shall not hold a hearing. The word "resubmitted" shall be substituted for the word "reheard" in Rule 18. A copy of the applicable Rules is attached. In the event any applicable AAA Rule is changed, the Chancellor may authorize the matter to proceed under the Rule as changed, or may make other provision as respects such Rule as appropriate.

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16.10.1 The arbitrator, if not selected pursuant to AAA Rule 12, may be selected by written agreement of the President, the grievant, and the Statewide Dean.

16.10.2 The days specified in the AAA Rules are calendar days, not campus working days.

The arbitrator shall review all materials presented by the Statewide Dean, except that the arbitrator need not listen to the tape recording of the hearing unless the facts of the case, in his or her opinion, make that necessary. If the hearing was conducted by a Hearing Officer, the arbitrator shall be bound by the Hearing Officer's findings and conclusions on matters of fact. The arbitrator shall be bound by the policy of confidentiality stated in Sections 10.11 and 12.16.12 of these Procedures. If the arbitrator has questions about facts or policy, he or she shall invite written comment on such questions from both the President and the grievant, who shall send copies of such comments each to the other. The President may refer such questions to the Grievance Committee or the Hearing Officer, as appropriate, for information necessary to the preparation of his or her response. Copies of responses of the Grievance Committee or the Hearing Officer to questions so referred shall be forwarded by the President to the grievant and the arbitrator. As to questions he or she may have on the law, the arbitrator shall refer such questions to the Office of General Counsel which shall send copies of all responses to such inquiries to the grievant and the President.

16.11 The arbitrator shall mail his or her decsion which shall include reasons for that decision, to the Statewide Dean accompanied by all materials furnished the arbitrator by the Statewide Dean, the campus, and the grievant. The arbitrator shall mail a copy of the decision to the President of the campus and to the grievant, at his or her last known address or to the grievant's representative. If, in the judgment of the Statewide Dean, the decision of the arbitrator is unclear or incomplete, the Statewide Dean may request clarification or amplification or both of the arbitrator, with copies to the President and the grievant. The arbitrator shall comply with such request, with copies to the President and the grievant.

16.12 Prior arbitration decisions shall not be used as a precedent for any subsequent case. No arbitrator shall have any authority to add to, detract from, or in any way alter the provisions of these Procedures, any California statute or regulation, or any rules or policies of the Office of the Chancellor or of the campus.

16.13 The arbitrator's decision as to matters properly before him or her, insofar as consonant with rules and policies of the Trustees, Office of the Chancellor and of the campus which predate the grievance and to which the attention of the arbitrator, Grievance Committee or Hearing Officer was directed in the course of the Grievance Proceeding, and insofar as consonant with the laws of California and the United States, shall be final and binding upon the campus and the grievant.

16.14 AAA billings shall be submitted to the campus for payment.

16.15 By written agreement of the grievant and the President furnished to the AAA, a matter may be settled and withdrawn from the review provided by this Section 16.0 at any time. Such withdrawal shall be final.

17.0 **Construction of These Procedures**

17.1 "Shall" is mandatory and "may" is permissive.

17.2 Section headings do not in any manner affect the meaning or intent of the provisions of these Procedures.

17.3 These Procedures shall be considered complied with despite technical departures from them or errors in their application, unless in the opinion of the President or the arbitrator, the technical departures or errors were substantially prejudicial to persons directly involved or to the campus.

17.4 In applying the singular language of these Procedures to consolidated hearings, the singular number shall include the plural.

17.5 All notices, requests, reports, and statements sent pursuant to these Procedures shall be sent by U.S. mail. The date postmarked on the envelope shall be the governing date, unless the date of receipt is expressly specified in these Procedures.

17.6 Unless differently defined in these Procedures, terms used in these Procedures which are defined in Sections 40000 and 42700 of Title 5 of the California Administrative Code shall have the meanings given in those definitions.

Delegation of Authority of the President Under Executive Order No. 201

Effective July 1, 1972, as authorized in Section 2.2 of Executive Order No. 201, the President has delegated to the Associate Vice President for Academic Affairs - Academic Personnel the authority to perform the functions of the President of the California State University, Long Beach, as described in Section 14.2 of said Executive Order.

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American Arbitration Association
Arbitration Rules Applicable Under
Executive Order No. 201

2. Name of Tribunal: Any Tribunal constituted by the parties under these Rules shall be called the Voluntary Labor Arbitration Tribunal.
3. Administrator: When parties agree to arbitrate under these Rules and an arbitration is instituted thereunder, they thereby authorize the American Arbitration Association (hereinafter AAA) to administer the arbitration. The authority and obligations of the Administrator are as provided in the agreement of the parties and in these Rules.
4. Delegation of Duties: The duties of the AAA may be carried out through such representatives or committees as the AAA may direct.
5. National Panel of Labor Arbitrators: The AAA shall establish and maintain a National Panel of Labor Arbitrators and shall appoint arbitrators therefrom, as hereinafter provided.
6. Office of Tribunal: The general office of the Labor Arbitration Tribunal is the headquarters of the AAA, which may, however, assign the administration of an arbitration to any of its Regional Offices.
7. After the Arbitrator is appointed, no new or different claim may be submitted to him except with the consent of the Arbitrator and all other parties.
11. Qualifications of Arbitrator: No person shall serve as a neutral Arbitrator in any arbitration in which he has any financial or personal interest in the result of the arbitration, unless the parties, in writing, waive such disqualification.
12. Appointment from Panel: If the parties have not appointed an Arbitrator and have not provided any other method of appointment, the Arbitrator shall be appointed in the following manner: immediately after the filing of the Demand or Submission, the AAA shall submit simultaneously to each party an identical list of names of persons chosen from the Labor Panel. Each party shall have seven days from the mailing date in which to cross off any names to which he objects, number the remaining names indicating the order of his preference, and return the list to the AAA. If a party does not return the list within the time specified, all persons named therein shall be deemed acceptable. From among the persons who have been approved on both lists, and in accordance with the designated order of mutual preference, the AAA shall invite the acceptance of an Arbitrator to serve. If the parties fail to agree upon any of the persons named or if those named decline or are unable to act, or if for any other reason the appointment cannot be made from the submitted lists, the Administrator shall have power to make the appointment from other members of the Panel without the submission of any additional lists.
15. Number of Arbitrators: If the arbitration agreement does not specify the number of Arbitrators, the dispute shall be heard and determined by one Arbitrator, unless the parties otherwise agree.
16. Notice to Arbitrator of His Appointment: Notice of the appointment of the neutral Arbitrator shall be mailed to the Arbitrator by the AAA and the signed acceptance of the Arbitrator shall be filed with the AAA prior to the opening of the first hearing.
17. Disclosure by Arbitrator of Disqualification: Prior to accepting his appointment, the prospective neutral Arbitrator shall disclose any circumstances likely to create a presumption of bias or which he believes might disqualify him as an impartial Arbitrator. Upon receipt of such information, the AAA shall immediately disclose it to the parties. If either party declines to waive the presumptive disqualification, the vacancy thus created shall be filled in accordance with the applicable provisions of these Rules.

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18. Vacancies: If any Arbitrator should resign, die, withdraw, refuse or be unable or disqualified to perform the duties of his office, the AAA shall, on proof satisfactory to it, declare the office vacant. Vacancies shall be filled in the same manner as that governing the making of the original appointment, and the matter shall be reheard by the new Arbitrator.
30. Inspection: Whenever the Arbitrator deems it necessary, he may make an inspection in connection with the subject matter of the dispute after written notice to the parties who may, if they so desire, be present at such inspection.
33. Waiver of Rules: Any party who proceeds with the arbitration after knowledge that any provision or requirement of these Rules has not been complied with and who fails to state his objection thereto in writing, shall be deemed to have waived his right to object.
35. Extensions of Time: The parties may modify any period of time by mutual agreement. The AAA for good cause may extend any period of time established by these Rules, except the time for making the award. The AAA shall notify the parties of any such extension of time and its reason therefor.
36. Serving of Notices: Each party to a Submission or other agreement which provides for arbitration under these Rules shall be deemed to have consented and shall consent that any papers, notices or process necessary or proper for the initiation or continuation of an arbitration under these Rules and for any court action in connection therewith or the entry of judgment on an award made thereunder, may be served upon such party (a) by mail addressed to such party or his attorney at his last known address, or (b) by personal service, within or without the state wherein the arbitration is to be held.
37. Time of Award: The award shall be rendered promptly by the Arbitrator and, unless otherwise agreed by the parties, or specified by the law, not later than thirty days from the date of closing the hearings, or if oral hearings have been waived, then from the date of transmitting the final statements and proofs to the Arbitrator.
38. Form of Award: The award shall be in writing and shall be signed either by the neutral Arbitrator or by a concurring majority if there be more than one Arbitrator. The parties shall advise the AAA whenever they do not require the Arbitrator to accompany the award with an opinion.
41. Release of Documents for Judicial Proceedings: The AAA shall, upon the written request of a party, furnish to such party at his expense certified facsimiles of any papers in the AAA's possession that may be required in judicial proceedings relating to the arbitration.
42. Judicial Proceedings: The AAA is not a necessary party in judicial proceedings relating to the arbitration.
43. Administrative Fee: As a nonprofit organization, the AAA shall prescribe an administrative fee schedule to compensate it for the cost of providing administrative services. The schedule in effect at the time of filing shall be applicable.
45. Communication with Arbitrator: There shall be no communication between the parties and a neutral Arbitrator other than at oral hearings. Any other oral or written communications from the parties to the Arbitrator shall be directed to the AAA for transmittal to the Arbitrator.
46. Interpretation and Application of Rules: The Arbitrator shall interpret and apply these Rules insofar as they relate to his powers and duties. When there is more than one Arbitrator and a difference arises among them concerning the meaning or application of any such Rules, it shall be decided by majority vote. If that is unobtainable, either Arbitrator or party may refer the question to the AAA for final decision. All other Rules shall be interpreted and applied by the AAA.

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Appendix III

Appendix III

Documents on Professional Standards and Ethics and Related Documents

Over the years, a number of documents, which are included in Appendix III, have been approved by the Faculty at California State University, Long Beach:

DOCUMENT A:

California State University, Long Beach, Faculty Statement of Professional Ethics — including: **Statement of the National AAUP Committee on Professional Ethics,** 1958, and **Additional Principles on the "Ethics of Disagreement,"** prepared by the CSULB AAUP Chapter, October 19, 1960. (APPROVED by the CSULB Academic Senate, 12/6/68).

DOCUMENT B:

Statement of Professional Responsibility, and **Implementation of the Statement on Professional Responsibility** and **Professional Self-Discipline,** developed and approved by the Academic Senate of The California State University and Colleges, and approved by the Faculties of The California State University and Colleges, Spring, 1971.

DOCUMENT C:

Model Bill of Rights and Responsibilities, for Members of an Institution of Higher Education: Faculty, Students, Administrators, Staff, and Trustees — Carnegie Commission on Higher Education. (APPROVED by the CSULB Academic Senate, 5/14/71).

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DOCUMENT D:

Statement on Government of Colleges and Universities, jointly formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges, approved by these groups in 1966, and APPROVED by the CSULB Academic Senate 2/10/67.

DOCUMENT E:

AAUP Committee A Statement on Extramural Utterances

It is hoped that all members of the academic community will read and become familiar with Appendix III, and that these documents may be used in a positive sense as a general guide to both faculty and administration.

California State University, Long Beach
Faculty Statement of Professional Ethics

A.

The faculty member of an institution of higher learning in a free society must have the freedoms of a free society, particularly the freedom to seek and to speak the truth as he sees it, if he is to fulfill the functions for which the institutions exist — the advancement and dissemination of knowledge. When performing his official duties, the faculty member must have a further safeguard in the form of guarantees that his academic freedom will be fully protected, since, unlike most members of the society, a faculty member does not have the privilege of remaining silent on issues relevant to his discipline. These issues are often charged with emotion and controversy, and he is, therefore, by the inherent nature of his profession, in a highly vulnerable position. The advancement of learning and the very health and survival of our free society demand that he be allowed and encouraged to speak freely, forcefully, and competently, in the performance of his duties.

The essential concomitant of the faculty member's freedom is his professional and institutional responsibility. The faculty must define and insist upon reasonable adherence to ethical standards if it is to gain and maintain the traditional right of self-government in matters involving professional ethics and conduct. To the extent that the professor fails to fulfill his responsibilities, he must stand accountable to the judgments of his colleagues in both the institution and the profession. The faculty member should be subject to the disciplinary actions prescribed by the University and The California State University and Colleges for violation of professional ethics, but only after he has had full recourse to the accepted personnel procedures of the University and The California State University and Colleges.

The faculty member's primary responsibility as a member of the profession is to (1) his subject; (2) his students; (3) his institution; (4) his profession or discipline at large; and (5) the community.

1. In fulfilling his responsibility to his subject, the faculty member should, to the best of his ability:
   (a) seek and state the truth in that subject or discipline as he sees it.
   (b) safeguard from attacks both within and outside the profession, the freedom of his colleagues and students to inquire.
   (c) comment on the professional work of his colleagues only in appropriate place and manner.
   (d) base his professional judgments of his colleagues upon their contributions, actual or potential, to the subject, the institution, and the profession.
   (e) avoid conflicts of interest which restrict or prejudice his freedom of inquiry and teaching.
2. In fulfilling his responsibility to his students, the faculty member should, to the best of his ability:
   (a) meet his responsibilities to his subject.
   (b) protect the students' freedom of inquiry and expression in their pursuit of knowledge.
   (c) teach his subject to the student in accordance with the best standards of scholarship in the discipline.
   (d) refrain from using his relationship with his students to exploit them for personal advantage.
   (e) acknowledge properly any significant assistance which he receives from his students.
   (f) meet his obligations to, and comment on the work of each student only in appropriate place and manner, with justice and consideration for each student.
   (g) deport himself in a manner which will merit respect for himself and his profession.

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3. In fulfilling his responsibility to his institution, the faculty member should, to the best of his ability:
   (a) meet his responsibilities to his subject and his students.
   (b) accept and perform a reasonable share of committee assignments and other faculty responsibilities for the governance of his institution.
   (c) indicate, when circumstances require, that he is not acting as a spokesman or representative of his institution or of the scholarly profession.
   (d) avoid any outside employment or other activity which conflicts, interferes, or is clearly inconsistent with his responsibilities as a teacher and scholar.
   (e) make appropriate use of time granted for professional purposes.
   (f) adhere to his agreements regarding the conditions of his employment.
   (g) refrain from improper use of the property of the institution.
   (h) fulfill his proper role in rendering fair and impartial judgments and recommendations regarding faculty and administrative appointments, reappointments, tenure, promotion, and disciplinary actions.
   (i) observe the stated rules and regulations of the institution, and refrain from willfully encouraging others to violate them, yet vigorously guard his right to criticize and his obligation to work toward the improvement of such rules and regulations.
4. In fulfilling his responsibility to his professional colleagues and the profession at large, the faculty member should, to the best of his ability:
   (a) meet his responsibility to his subject, his students, and his institution.
   (b) honestly and accurately represent his professional qualifications and his institution.
   (c) interpret and use the writings, research, and findings of others with intellectual honesty.
   (d) recognize that his own conduct may be regarded as representative of his profession.
   (e) refrain from assigning professional duties to persons who lack the professional qualifications demanded by the assignment.
   (f) accord just and equitable treatment to all members of the profession in his professional relationships with them, and support them when they are unjustly accused or mistreated.
79 (g) express disagreement with his professional colleagues when appropriate, and then with due regard to propriety of language, place, and audience.
   (h) refrain from resort to undue coercion or harassment of his professional colleagues and other University associates, including staff and administration, in the resolution of differences or the achievement of objectives.
   (i) protect and defend the educational program against undesirable encroachments from any source.
5. In fulfilling his responsibility to the community, the faculty member should, to the best of his ability:
   (a) meet his responsibilities to his subject, his students, his institution, and his profession at large.
   (b) share the responsibility for improving the educational opportunities for all.
   (c) promote conditions of free inquiry and further the understanding of academic freedom in the community.
   (d) exercise the rights and fulfill the obligations of a responsible member of the community.

Statement of the National AAUP Committee on Professional Ethics 1958

Academic freedom is a special freedom, necessary to the mission of professors in a university. Professional responsibility is its logical correlative. As individuals, professors have the responsibility to conduct themselves in ways that will promote the achievement of the purposes for which academic freedom exists. And as members of a profession possessed of certain rights of self-government, university professors as a group have an obligation to keep their houses in order and to take such steps as may be necessary to the fulfillment of their professional mission.

The responsibilities of a faculty member fall into four main areas: (1) to his subject; (2) to his students; (3) to the institution of which he is a part; (4) to his profession and to the community at large.

1. The preservation of the integrity and vitality of their subjects also requires professors to comment on the work of their colleagues, and to advise their own and other universities about the appointment, retention, or promotion of individual scholars. It is self-evident that the scholar and teacher will best fulfill this responsibility by attempting, as far as it is humanly possible, to base his professional judgments of his colleagues, exclusively upon their work and upon their contributions, actual or potential, to teaching and inquiry.
2. The professor's central responsibility to his students is to teach them his subject, and to do so in accordance with the best standards of scholarship in his discipline. A primary duty of the professor with regard to his students, accordingly, is to keep himself abreast of developments in his field. A further obligation is to see that the process of teaching and learning is conducted in an atmosphere of free and unhampered inquiry. The professor has a responsibility to his students to entertain all relevant questions, and to guard the classroom against external pressures, including the student's fear that what he does or says in the honest pursuit of his intellectual inquiries will affect his rating within a course, his future chances of employment, or his later standing in the community.

   The relationship between teacher and student also has dimensions that reach beyond the classroom. It is clearly incompatible with elementary standards of professional or personal behavior for the professor to use his relationship to his students to exploit them for his own private purposes. Beyond this, the professor is obviously one agent among others in the personal development of his students. He influences them not only through his subject but through his own personal deportment and intellectual style, and it is his responsibility to keep this consideration in mind. It cannot be a requirement of membership in the scholarly community, however, that the scholar give up legal rights or personal liberties normally enjoyed by other citizens. Any attempt to impose a uniform code of personal behavior on all members of university faculties endangers the foundations of free scholarship.
3. It may be assumed that colleges and universities exist for the same purposes that professors exist — namely, the advancement of learning. Accordingly, the primary responsibility of a professor to the institution that employs him is that he fulfills his responsibilities to his own field of knowledge and to his students. Administrative work, curriculum studies, committee service, and the like, are, however, reasonable parts of a professor's duties. It is a responsibility of the institution to see to it that these burdens do not fall so heavily on particular individuals that they find it difficult to meet their immediate obligations to their subjects or their students. It is equally a responsibility of the individual professor to see that he does not sacrifice any one major area of responsibility in an excessive concern with the others.

In activities in which the professor engages outside the college or university, it is plainly his responsibility to make it plain, when circumstances require, that he is acting as an individual and not as a representative of his institution or of the scholarly profession. It is also his responsibility to measure the amount and character of such work as he may do outside the university in terms of his primary responsibility to his parent institution.

4. The professor's obligations to the community, like the professor's rights within the community, cannot be less than those of any responsible citizen. His responsibility both to his profession and to the outside community is plainly the fulfillment of his responsibilities to his subject, to his students, and to his parent institution. As a citizen and as a member of a profession which depends upon freedom for its health and integrity, furthermore, the individual scholar also has an obligation to maintain and advance the conditions of free inquiry. This obligation reaches beyond the classroom or laboratory.

Additional Principles on the "Ethics of Disagreement."

1. **Introduction**
   Among the rights enjoyed by those in the academic profession is the right to disagree. Professionally qualified persons have an inherent right to disagree at various levels such as on the statement of a problem, on what data are pertinent to the issue, on the interpretation of the data, on the conclusion derived from the data, and on the degree that the derived conclusions should be applied in resolving the issue. Whether the manner in which the professor disagrees is considered professional or unprofessional is an extremely difficult question. The expression "professional conduct" should by definition include the idea that the attitude and behavior of a faculty member toward his associates as well as towards other individuals should, in general, be such as to protect from reproach the academic community and members thereof. No faculty member by act or utterance should cast discredit upon the academic profession, upon himself or upon his faculty associates. Where the conduct of the professor occurs outside the institution and is of such a nature as to become the concern of a law enforcement agency or judicial agency, neither the university nor the faculty should take action until said conduct has been established in the law as being improper.
   Probably no one statement or series of statements defining professional or unprofessional activity could satisfy any university faculty. But in reflecting on acceptable or unacceptable means and ways of disagreement in a controversy, there are certain questions which should be considered: is the issue or the individual being attacked? is persuasion or coercion being employed? is criticism explicit or implicit? has there been retribution against persons because of involvement in controversy?
2. **The Issue vs. the Individual**
   In a disagreement there should be no involvement or consideration of any individual or individuals on a personal basis: the entire reference should be to the issue in point. The ethical professor will practice intellectual and factual honesty, never knowingly making an untrue statement about an individual. He will not undermine the personality of the individual or cause him personal distress except when attention solely to the issue may cause that distress. He will remain open and aboveboard, and will maintain his sense of humor and sense of balance. If he has a personal, proprietary interest in the dispute he should disqualify himself from participation in the disposition of the dispute.
3. **Persuasion vs. Coercion**
   Where any kind of disagreement exists, the parties to such disagreement have the ethical right to attempt to gain their ends through **persuasion,** which is to say through the use of arguments fulfilling reasonable criteria of logic, evidence, accuracy, and appropriateness, with all pertinent elements of the arguments and appeals made clear and public. However, parties to a disagreement do not have the ethical right to utilize **coercion.** Coercion might be defined as attempts by individuals, publicly or privately, individually or in concert, overtly or by innuendo, to achieve their ends through the use or threat of violence, bodily harm, or mental anguish, whether directed at parties to the disagreement, their families, their friends, or their colleagues. This injunction against coercion especially regards as coercive threats concerning employment, retention, promotion, working conditions, grading, legal actions (unless clearly justified), or public ridicule. It is recognized that the line between persuasion and coercion is particularly hard to define in the case of suppressed information, distortion, and appeal to unrecognized motives, but it is generally to be recognized that most such arguments, if not clearly coercive, pass dangerously close to it even at best and should not generally be condoned.

4. **Explicit vs. Implicit Criticism**

An individual has the right to oppose and criticize ideas or conduct with which he is in disagreement. If a faculty is to maintain its integrity, it must preserve this right of criticism of either majority or minority opinions. **The ethics of disagreement require that criticism be explicit rather than implicit,** straightforward and supported by relevant facts, and judiciously and fairly exercised. It would be a violation of academic ethics and grossly unprofessional behavior for one to engage in character assassination by innuendo, personal defamation, or vilification. It is understood that logical inference based upon incontrovertible and relevant facts is part of the tools of ethical argument. It is further understood that ethical criticism always gives those criticized an opportunity to defend either ideas or conduct. It would be especially unethical for disagreement of the implicit kind to take the form of communication to the public and the newspapers off campus. Even when explicit, the criticism should be made known to the adversary. An individual should be held liable to state and defend the truth of his criticism directly to the adversary, although it is recognized that such criticism will often become part of the disagreement.

5. **Retribution Because of Involvement in Controversy**

Controversy is a fact of academic life. It is a necessity in teaching effectiveness, academic research and the search for a policy which is most conducive to a colleague's stated and unstated purposes. These purposes are philosophically and basically the "search for truth" and "its dissemination."

These purposes cannot be enhanced and pursued effectively where professors become self-centered and attempt personal retribution against colleagues. This includes any type of retribution, whether it be expressed through physical means, the spread of calumny, by threats, or in fact by any type of act that attempts to humiliate or degrade one's colleagues.

When a community of scholars has agreed on a particular means of resolving an issue, the policy, and particularization of policy as exemplified in procedures, applies without discrimination to one and all. Work completed according to policy and procedure should be resolved through whatever legal, social, and administrative means that exist, there must be general faculty comprehension of the decision and adherence to the rule. Obviously, there are times when one believes that his point of view is most conducive to the resolution of a faculty problem. The decision of the majority, however, must prevail. This does not deny to the minority the right to pursue changes in policy ruling through legal and institutional channels set up for this purpose. It does not, however, give the right to wage personal attacks against those who did not agree with this minority.

The negative act of seeking retribution demeans the profession as a whole. It is not constructive and it does not promote the general institution aims.

Approved and Adopted or *Readopted by the Academic Senate, CSULB, December 6, 1968.

*The **Statement of the National AAUP Committee on Professional Ethics**, 1958, and **Additional Principles on the "Ethics of Disagreement,"** prepared and adopted by the local chapter of AAUP, October 19, 1960, were adopted as a Code of Professional Ethics by the Academic Senate May 31, 1963.

A Statement of Professional Responsibility

B.

Academic freedom is a special freedom, necessary to the mission of professors in a college or university. Professional responsibility is its natural counterpart. As individuals, professors have the responsibility to conduct themselves in ways that will promote the achievement of the purposes for which academic freedom exists. To the extent that as members of a profession, they have rights of self-government, professors as a group have an obligation to keep their houses in order and to take such steps as may be necessary to the fulfillment of their professional mission. A statement of professional responsibility may serve as a useful reminder of the variety of obligations assumed by members of the profession.

Teaching as a profession, and, specifically, teaching in institutions of higher learning, involves members throughout the nation and the world. As a consequence, a statement of professional ethics or responsibilities for teachers should enunciate principles which apply within the profession at large. Accordingly, the following statement is taken almost entirely from documents developed and published by the American Association of University Professors, some of them in conjunction with other well-known professional organizations. The core of this statement is the **AAUP Statement on Professional Ethics.** Additional items are taken from other statements alluded to in the **Statement** or promised in it — statements widely known and endorsed throughout the profession.

Though this statement brings together assertions of professional responsibility gleaned from several diverse documents variously developed during the past three decades, it is not exhaustive; it is at most only representative of major areas of responsibility. By means of footnotes, this statement makes reference to materials which more fully develop the necessarily abbreviated representation of individual principles herein. Moreover, the Academic Senate of The California University and Colleges pledges, as does the AAUP Council in its 1970 **Statement on Freedom and Responsibility,** to "encourage and assist local faculty groups seeking to articulate the substantive principles here outlined . . . ".

Statement

The responsibilities of a faculty member may be considered from five major perspectives: (1) as a member of the teaching profession; (2) as a teacher; (3) as a colleague; (4) as a part of an institution; (5) as a member of a community.

1. As a member of the teaching profession, the professor:
   a. seeks and states the truth as he sees it. (SPE)[1]
   b. devotes his energies to developing and improving his scholarly competence. (SPE)
   c. accepts the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. (SPE)
   d. practices, fosters, and defends intellectual honesty, freedom of inquiry and instruction, and free expression on and off the campus. (SPE AND SFR)[2]
   e. avoids allowing his subsidiary interests to hamper or compromise his freedom of inquiry. (SPE)[3]
2. As a teacher, the professor:
   a. encourages the free pursuit of learning in his students. (SPE)
   b. holds before his students the best scholarly standards of his discipline. (SPE)
   c. demonstrates respect for the student as an individual. (SPE)
   d. adheres to his proper role as an intellectual guide and counselor. (SPE)
   e. makes every reasonable effort to foster honest academic conduct. (SPE)

f. makes every reasonable effort to assure that his evaluation of students reflects their true merit and is based on their academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs. (SPE AND SFR)
g. respects the confidential nature of the relationship between professor and student. (SPE)[4]
h. does not refuse to enroll or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge to be gained in a course. (SFR)
i. refrains from forcing students by the authority inherent in the instructional role to make particular personal choices as to political action or their own part in society. (SFR)
j. does not persistently intrude into the presentation of his subject material which has no relation to that subject. (SFR)
k. presents the subject matter of his course as announced to his students and as approved by the faculty in their collective responsibility for the curriculum. (SFR)
l. allows students the freedom to take reasoned exception to the data or views offered in a course of study and to reserve judgment about matters of opinion. (SFR)
m. avoids any exploitation of students for his private advantage. (SPE)

3. As a colleague, the professor:
a. respects and defends the free inquiry of his associates. (SPE)
b. shows due respect for the opinions of others in exchange of criticism and ideas. (SPE)
c. acknowledges his academic debts. (SPE)
d. strives to be objective in his professional judgment of colleagues. (SPE)

4. As a member of an institution, the professor:
a. seeks above all to be an effective teacher and scholar. (SPE)
b. observes the stated regulations of the institution provided they do not contravene academic freedom. (SPE)
c. maintains his right to criticize regulations and seek their revision. (SPE)
d. determines the amount and character of the work he does outside the institution with due regard for his paramount responsibilities within it. (SPE)
e. recognizes, when considering the interruption or termination of his services, the effect of his decision upon the program of the institution and gives due notice of his intentions. (SPE)[5]
f. requests a leave of absence or resigns his academic position when acute conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of his students, colleagues, and institution, on the other, preclude the fulfillment of substantial academic obligations. (SFR)[6]
g. refrains from calling attention to grievances in ways that significantly impede the functions of the institution. (SFR)
h. accepts his share of faculty responsibilities for the governance of his institution. (SPE)[7]

5. As a member of a community, the professor:
a. measures the urgency of his obligations as a citizen in light of his responsibilities to his subject, his students, his profession, and his institution. (SPE)
b. makes every effort, when he speaks and acts as a citizen, to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to indicate that he does not speak for his college or university. (SPE and SEU)[8]
c. promotes conditions of free inquiry. (SPE)
d. furthers public understanding of academic freedom, (SPE)

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FOOTNOTES

[1]**Statement on Professional Ethics,** the primary source of items in this statement, **AAUP Bulletin,** Vol. 55, No. 1, Spring, 1969, pp. 86-87. Parenthetical references and footnotes identify documents from which items have been taken, most of them almost word for word.

[2]AAUP Council **Statement on Freedom and Responsibility,** October 31, 1970.

[3]See also AAUP statement "On Preventing Conflicts of Interest in Government-Sponsored Research in Universities," **AAUP Bulletin,** Vol. 51, No. 1, Spring, 1965, pp. 42-43.

[4]An expanded statement of confidentiality is contained in "Joint Statement on Rights and Freedoms of Students," esp. the section entitled "In the Classroom." **AAUP Bulletin,** Vol. 54, No. 2, Summer, 1965.

[5]See also "Statement on Recruitment and Resignation of Faculty Members," and "A Report from Committee B, Late Resignation and Professional Ethics." **AAUP Bulletin,** Vol. 54, No. 3, Autumn, 1968, pp. 362-364.

[6]See also "Statement on Professors and Political Activity," **AAUP Bulletin,** Vol. 55, No. 1, Autumn, 1969, pp. 386-389.

[7]Such governance responsibilities are described somewhat in detail in "Statement on Government of Colleges and Universities," **AAUP Bulletin,** Vol. 52, No. 4, Winter, 1966, pp. 375-379. See esp. Section V, "The Academic Institution: The Faculty."

[8]"Committee A — Statement on Extramural Utterances," **AAUP Bulletin,** Vol. 51, No. 1, Spring, 1965, p. 29.

Implementation of the Statement on Professional Responsibility and Professional Self-Discipline

The fundamental purpose of a statement of professional responsibility is to establish a guide to responsible performance that is consistent with the highest ideals of the academic profession. It thus establishes an ideal to which faculty members **can** and **should aspire,** rather than a minimum standard to which faculty members **must adhere.** Hence, such a statement is not intended to serve primarily as a reference for disciplinary action. Nevertheless, when cases of gross disregard for principles of professional responsibility occur, the faculty has both a right and duty to call the lapse to the attention of the individual concerned and to expect that the irresponsible behavior will be discontinued.

Most departures from responsible professional behavior are likely to be minor lapses which can be corrected simply by calling the matter to the attention of the person involved. Ordinarily, such matters are handled within the faculty member's academic unit.

If a breach of professional responsibility is alleged which cannot be or is not adequately handled thus informally within the basic academic unit, the matter should be taken up at the institutional level. Each University should have a Committee on Professional Responsibility. The members of such a committee should be chosen with special attention to the high regard in which they are held by the academic community. To this committee any member of the academic community may refer allegations of unprofessional conduct.

As quickly as may be feasible, the Committee on Professional Responsibility should begin an inquiry into the facts of any case it is asked to investigate. The Committee may at any time discontinue the inquiry because the facts do not provide sufficient evidence to support the allegation. The Committee may also decide at any time that the case involves only minor matters which properly should have been referred to the basic academic unit for informal resolution and so refer it, with or without recommendations.

If the Committee on Professional Responsibility does carry its inquiry to completion, it should prepare a report which presents its conclusions and the basis for those conclusions. A copy of the report should go to the faculty member whose behavior was questioned and a copy to the person(s) requesting Committee consideration of the case, and a copy should be retained by the Committee. When in the judgment of the Committee the nature of the case suggests such a conclusion, the Committee may recommend the initiation of formal disciplinary action.

The intent underlying this procedure is to provide a mechanism whereby the faculty can call serious disregard for professional responsibility to the attention of an offending faculty member without the necessity of subjecting him to formal disciplinary action. It is expected that in most instances the weight of an adverse conclusion by the Committee on Professional Responsibility will bring about a correction of irresponsible behavior.

If grossly irresponsible behavior should continue, however, it may be necessary for the possibility of formal disciplinary action to be considered. Nevertheless, formal charges of unprofessional conduct should not be filed unless and until the corrective procedures outlined above have been tried. The University administrative officer who has general charge of disciplinary procedures should consult with the Committee on Professional Responsibility before proceeding with any disciplinary action based on charges of unprofessional conduct.

When formal disciplinary action is based on charges of **unprofessional conduct,** the faculty disciplinary action committee should be given the final determination as to whether sanctions should be imposed and the form they should take. Consideration should be given to a wide range of sanctions other than dismissal, such as warnings and reprimands, to provide a more versatile disciplinary response to various degrees and kinds of unprofessional behavior. But primary emphasis should be placed on preventive action. Apparent failures to meet professional responsibilities should be approached with a sustained attempt to inform, persuade, and improve; disciplinary action, regardless of the degree of sanction it may evenutally suggest, should be a last resort.

Developed and Approved by the Academic Senate, The California University and Colleges, January, 1971; Approved by the Faculties of The California University and Colleges, Spring, 1971.

A MODEL BILL OF RIGHTS AND RESPONSIBILITIES for Members of an Institution of Higher Education: Faculty, Students, Administrators, Staff, and Trustees

C.

Members of the campus have an obligation to fulfill the responsibilities incumbent upon all citizens, as well as the responsibilities of their particular roles within the academic community. All members share the obligation to respect:

The fundamental rights of others as citizens.

The rights of others based upon the nature of the educational process.

The rights of the institution.

The rights of members to fair and equitable procedures for determining when and upon whom penalties for violation of campus regulations should be imposed.

1

As citizens, members of the campus enjoy the same basic rights and are bound by the same responsibilities to respect the rights of others, as are all citizens.

Among the basic rights are freedom of speech, freedom of press, freedom of peaceful assembly and association, freedom of political beliefs, and freedom from personal force and violence, threats of violence, and personal abuse.

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Freedom of press implies the right to freedom from censorship in campus newspapers and other media, and the concomitant obligation to adhere to the canons of responsible journalism.

It should be made clear in writings or broadcasts that editorial opinions are not necessarily those of the institution or its members.

The campus is not a sanctuary from the general law.

The campus does not stand **in loco parentis** for its members.

Each member of the campus has the right to organize his or her own personal life and behavior, so long as it does not violate the law or agreements voluntarily entered into, and does not interfere with the rights of others or the educational process.

Admission to, employment by, and promotion within the campus shall accord with the provisions against discrimination in the general law.

2

All members of the campus have other responsibilities and rights based upon the nature of the educational process and the requirements of the search for truth and its free presentation. These rights and responsibilities include:

Obligation to respect the freedom to teach, to learn, and to conduct research and publish findings in the spirit of free inquiry.

Institutional censorship and [illegible] or group intolerance of the opinions of others are inconsistent with this freedom.

Freedom to teach and to learn implies that the teacher has the right to determine the specific content of his course, within the established course definition, and the responsibility not to depart significantly from his area of competence or to divert significant time to material extraneous to the subject matter of his course.

Free inquiry implies that (except under conditions of national emergency) no research, the results of which are secret, is to be conducted on the campus.

Obligation not to interfere with the freedom of members of the campus to pursue normal academic and administrative activities, including freedom of movement.

Obligation not to infringe upon the right of all members of the campus to privacy in offices, laboratories, and dormitory rooms and in the keeping of personal papers, confidential records, and effects, subject only to the general law and to conditions voluntarily entered into.

Campus records on its members should contain only information which is reasonably related to the educational purposes or safety of the campus.

Obligation not to interfere with any member's freedom to hear and to study unpopular and controversial views on intellectual and public issues.

Right to identify oneself as a member of the campus and a concurrent obligation not to speak or act on behalf of the institution without authorization.

Right to hold public meetings in which members participate, to post notices, and to engage in peaceful, orderly demonstrations.

Reasonable and impartially applied rules, designed to reflect the educational purposes of the institution and to protect the safety of the campus, shall be established regulating time, place, and manner of such activities and allocating the use of facilities.

Right to recourse if another member of the campus is negligent or irresponsible in performance of his or her responsibilities, or if another member of the campus represents the work of others as his or her own.

Right to be heard and considered at appropriate levels of the decision-making process about basic policy matters of direct concern.

Members of the campus who have a continuing association with the institution and who have substantial authority and security have an especially strong obligation to maintain an environment conducive to respect for the rights of others and fulfillment of academic responsibilities.

Tenured faculty should maintain the highest standards in performance of their academic responsibilities.

Trustees have a particular responsibility to protect the integrity of the academic process from external and internal attacks; and to prevent the political or financial exploitation of the campus by any individual or group.

3

The institution, and any division or agency which exercises direct or delegated authority for the institution, has rights and responsibilities of its own. The rights and responsibilities of the institution include:

Right and obligation to provide an open forum for members of the campus to present and debate public issues.

Right to prohibit individuals and groups who are not members of the campus from using its name, its finances, and its physical and operating facilities for commercial or political activities.

Right to prohibit members of the campus from using its name, its finances, or its physical and operating facilities for commercial activities.

Right and obligation to provide, for members of the campus, the use of meeting rooms under the rules of the campus, including use for political purposes such as meetings of political clubs; to prohibit use of its rooms by individual members or groups of members on a regular or prolonged basis as free headquarters for political campaigns; and to prohibit use of its name, its finances, and its office equipment and supplies for any political purpose at any time.

Right and obligation not to take a position, as an institution, in electoral politics or on public issues, except on those issues which directly affect its autonomy, the freedom of its members, its financial support, and its academic functions.

Right and obligation to protect the members of the campus and visitors to it from physical harm, threats of harm, or abuse; its property from damage and unauthorized use; and its academic and administrative processes from interruption.

Right to require that persons on the campus be willing to identify themselves by name and address, and state what connection, if any, they have with the campus.

Right to set reasonable standards of conduct in order to safeguard the educational process and to provide for the safety of members of the campus and the institution's property.

Right to deny pay and academic credit to members of the campus who are on strike;* and the concomitant obligation to accept legal strikes legally conducted without recourse to dismissal of participants.

4

All members of the campus have a right to fair and equitable procedures which shall determine the validity of charges of violation of campus regulations.

The procedures shall be structured so as to facilitate a reliable determination of the truth or falsity of charges, to provide fundamental fairness to the parties, and to be an effective instrument for the maintenance of order.

All members of the campus have a right to know in advance the range of penalties for violations of campus regulations. Definition of adequate cause for separation from the campus should be clearly formulated and made public.

Charges of minor infractions of regulations, penalized by small fines or reprimands which do not become part of permanent records, may be handled expeditiously by the appropriate individual or committee. Persons so penalized have the right to appeal.

In the case of charges of infractions of regulations which may lead to notation in permanent records, or to more serious penalties, such as suspension or expulsion, members of the campus have a right to formal procedures with adequate due process including the right of appeal.

Members of the campus charged or convicted of violations under general law may be subject to campus sanctions for the same conduct in accord with campus policies and procedures, when the conduct is in violation of a campus rule essential to the educational process.

*In case of total or partial closures due to strikes, we suggest immediate cessation of pay and academic credit for those directly participating. The campus should not make claim to be the only area of society where strikes are cost-free to their participants. Workers uniformly forego their pay as they withdraw their services. They are subject to the costs of strikes as well as the potential benefits. Persons on campus can hardly expect the one and only "free ride." A cost-free strike, also, is not an effective means of demonstrating moral conviction.

From a report by the Carnegie Commission on Higher Education — Approved by the CSULB Academic Senate, May 14, 1971.

Statement on Government of Colleges and Universities

D.

This Statement, in preparation since 1964, is jointly formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges. On October 12, 1966, the Board of Directors of the ACE took action by which the Council "recognizes the Statement as a significant step forward in the clarification of the respective roles of governing boards, faculties, and administrations," and "commends it to the institutions which are members of the Council." On October 29, 1966, the Council of the AAUP approved the Statement, recommended approval by the Fifty-Third Annual Meeting in April, 1967, and recognized that "continuing joint effort is desirable, in view of the areas left open in the jointly formulated Statement, and the dynamic changes occurring in higher education." On November 18, 1966, the Executive Committee of the AGB took action by which that organization also "recognizes the Statement as a significant step forward in the clarification of the respective roles of governing boards, faculties, and administrations," and "commends it to the governing boards which are members of the Association."

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I. Introduction

This Statement is a call to mutual understanding regarding the government of colleges and universities. Understanding, based on community of interest, and producing joint effort, is essential for at least three reasons. First, the academic institution, public or private, often has become less autonomous; buildings, research, and student tuition are supported by funds over which the college or university exercises a diminishing control. Legislative and executive governmental authority, at all levels, plays a part in the making of important decisions in academic policy. If these voices and forces are to be successfully heard and integrated, the academic institution must be in a position to meet them with its own generally unified view. Second, regard for the welfare of the institution remains important despite the mobility and interchange of scholars. Third, a college or university in which all the components are aware of their interdependence, of the usefulness of communication among themselves, and of the force of joint action will enjoy increased capacity to solve educational problems.

II. The Academic Institution: Joint Effort

A. Preliminary Considerations

The variety and complexity of the tasks performed by institutions of higher education produce an inescapable interdependence among governing board, administration, faculty, students, and others. The relationship calls for adequate communication among these components, and full opportunity for appropriate joint planning and effort.

Joint effort in an academic institution will take a variety of forms appropriate to the kinds of situations encountered. In some instances, an initial exploration or recommendation will be made by the president with consideration by the faculty at a later stage; in other instances, a first and essentially definitive recommendation will be made by the faculty, subject to the endorsement of the president and the governing board. In still others, a substantive contribution can be made when student leaders are responsibly involved in the process. Although the variety of such approaches may be wide, at least two general conclusions regarding joint effort seem clearly warranted: (1) important areas of action involve at one time or another the initiating capacity and decision-making participation of all the institutional components, and (2) differences in the weight of each voice, from one point to the next, should be determined by reference to the responsibility of each component for the particular matter at hand, as developed hereinafter.

B. Determination of General Educational Policy

The general educational policy, i.e., the objectives of an institution and the nature, range, and pace of its efforts, is shaped by the institutional charter or by law, by tradition and historical development, by the present needs of the community of the institution, and by the professional aspirations and standards of those directly involved in its work. Every board will wish to go beyond its formal trustee obligation to conserve the accomplishment of the past and to engage seriously with the future; every faculty will seek to conduct an operation worthy of scholarly standards of learning; every administrative officer will strive to meet his charge and to attain the goals of the institution. The interests of all are coordinate and related, and unilateral effort can lead to confusion or conflict. Essential to a solution is a reasonably explicit statement on general educational policy. Operating responsibility and authority, and procedures for continuing review, should be clearly defined in official regulations.

When an educational goal has been established, it becomes the responsibility primarily of the faculty to determine appropriate curriculum and procedures of student instruction.

Special considerations may require particular accommodations: (1) a publicly supported institution may be regulated by statutory provisions, and (2) a church-controlled institution may be limited by its charter or bylaws. When such external requirements influence course content and manner of instruction or research, they impair the educational effectiveness of the institution.

Such matters as major changes in the size or composition of the student body and the relative emphasis to be given to the various elements of the educational and research program should involve participation of governing board, administration and faculty prior to final decision.

C. Internal Operations of the Institution

The framing and execution of long-range plans, one of the most important aspects of institutional responsibility, should be a central and continuing concern in the academic community.

Effective planning demands that the broadest possible exchange of information and opinion should be the rule for communication among the components of a college or university. The channels of communication should be established and maintained by joint endeavor. Distinction should be observed between the institutional system of communication and the system of responsibility for the making of decisions.

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A second area calling for joint effort in internal operations is that of decisions regarding existing or prospective physical resources. The board, president and faculty should all seek agreement on basic decisions regarding buildings and other facilities to be used in the educational work of the institution.

A third area is budgeting. The allocation of resources among competing demands is central in the formal responsibility of the governing board, in the administrative authority of the president, and in the educational function of the faculty. Each component should therefore have a voice in the determination of short and long-range priorities, and each should receive appropriate analysis of past budgetary experience, reports on current budgets and expenditures, and short and long-range budgetary projections. The function of each component in budgetary matters should be understood by all; the allocation of authority will determine the flow of information and the scope of participation in decisions.

Joint effort of a most critical kind must be taken when an institution chooses a new president. The selection of a chief administrative officer should follow upon cooperative search by the governing board and the faculty, taking into consideration the opinions of others who are appropriately interested. The president should be equally qualified to serve both as the executive officer of the governing board and as the chief academic officer of the institution and the faculty. His dual role requires that he be able to interpret to board and faculty the educational views and concepts of institutional government of the other. He should have the confidence of the board and the faculty.

The selection of academic deans and other chief academic officers should be the responsibility of the president with the advice of and in consultation with the appropriate faculty.

Determinations of faculty status, normally based on the recommendations of the faculty groups involved, are discussed in Part V of this Statement; but it should here be noted that the building of a strong faculty requires careful joint effort in such actions as staff selection and promotion and the granting of tenure. Joint action should also govern dismissals; the applicable principles and procedures in these matters are well established.*

*See the 1940 **Statement of Principles on Academic Freedom and Tenure** and the 1958 **Statement on Procedural Standards in Faculty Dismissal Proceedings.**

D. External Relations of the Institution

Anyone — a member of the governing board, the president or other member of the administration, a member of the faculty, or a member of the student body or the alumni — affects the institution when he speaks of it in public. An individual who speaks unofficially should so indicate. An official spokesman for the institution, the board, the administration, the faculty, or the student body should be guided by established policy.

It should be noted that only the board speaks legally for the whole institution, although it may delegate responsibility to an agent.

The right of a board member, an administrative officer, a faculty member, or a student to speak on general educational questions or about the administration and operations of his own institution is a part of his right as a citizen and should not be abridged by the institution.* There exist, of course, legal bounds relating to defamation of character, and there are questions of propriety.

III. The Academic Institution: The Governing Board

The governing board has a special obligation to assure that the history of the college or university shall serve as a prelude and inspiration to the future. The board helps relate the institution to its chief community: e.g., the community college to serve the educational needs of a defined population area or group, the church-controlled college to be cognizant of the announced position of its denomination, and the comprehensive university to discharge the many duties and to accept the appropriate new challenges which are its concern at the several levels of higher education.

The governing board of an institution of higher education in the United States operates, with few exceptions, as the final institutional authority. Private institutions are established by charters; public institutions are established by constitutional or statutory provisions. In private institutions the board is frequently self-perpetuating; in public colleges and universities the present membership of a board may be asked to suggest candidates for appointment. As a whole and individually when the governing board confronts the problem of succession, serious attention should be given to obtaining properly qualified persons. Where public law calls for election of governing board members, means should be found to insure the nomination of fully suited persons, and the electorate should be informed of the relevant criteria for board membership.

Since the membership of the board may embrace both individual and collective competence of recognized weight, its advice or help may be sought through established channels by other components of the academic community. The governing board of an institution of higher education, while maintaining a general overview, entrusts the conduct of administration to the administrative officers, the president and the deans, and the conduct of teaching and research to the faculty. The board should undertake appropriate self-limitation.

One of the governing board's important tasks is to ensure the publication of codified statements that define the over-all policies and procedures of the institution under its jurisdiction.

The board plays a central role in relating the likely needs of the future to predictable resources; it has the responsibility for husbanding the endowment; it is responsible for obtaining needed capital and operating funds; and in the broadest sense of the term it should pay attention to personnel policy. In order to fulfill these duties, the board should be aided by, and may insist upon, the development of long-range planning by the administration and faculty.

When ignorance or ill-will threatens the institution or any part of it, the governing board must be available for support. In grave crises it will be expected to serve as a champion. Although the action to be taken by it will usually be on behalf of the president, the faculty or the student body, the board should make clear that the protection it offers to an individual or a group is, in fact, a fundamental defense of the vested interests of society in the educational institution.

IV. The Academic Institution: The President

The president, as the chief executive officer of an institution of higher education, is measured largely by his capacity for institutional leadership. He shares responsibility for the definition and attainment of goals, for administrative action, and for operating the communications system which links the components of the academic community. He represents his institution to its many publics. His leadership role is supported by delegated authority from the board and faculty.

*With respect to faculty members, the 1940 **Statement of Principles on Academic Freedom and Tenure** reads: "The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that he is not an institutional spokesman."

As the chief planning officer of an institution, the president has a special obligation to innovate and initiate. The degree to which a president can envision new horizons for his institution, and can persuade others to see them and to work toward them, will often constitute the chief measure of his administration.

The president must at times, with or without support, infuse new life into a department; relatedly, he may at times be required, working within the concept of tenure, to solve problems of obsolescence. The president will necessarily utilize the judgments of the faculty, but in the interest of academic standards he may also seek outside evaluations by scholars of acknowledged competence.

It is the duty of the president to see to it that the standards and procedures in operational use within the college or university conform to the policy established by the governing board and to the standards of sound academic practice. It is also incumbent on the president to insure that faculty views, including dissenting views, are presented to the board in those areas and on those issues where responsibilities are shared. Similarly the faculty should be informed of the views of the board and the administration on like issues.

The president is largely responsible for the maintenance of existing institutional resources and the creation of new resources; he has ultimate managerial responsibility for a large area of nonacademic activities, he is responsible for public understanding, and by the nature of his office is the chief spokesman of his institution. In these and other areas his work is to plan, to organize, to direct, and to represent. The presidential function should receive the general support of board and faculty.

V. The Academic Institution: The Faculty

The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. On these matters the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. It is desirable that the faculty should, following such communication, have opportunity for further consideration and further transmittal of its views to the president or board. Budgets, manpower limitations, the time element and the policies of other groups, bodies and agencies having jurisdiction over the institution may set limits to realization of faculty advice.

93 The faculty sets the requirements for the degrees offered in courses, determines when the requirements have been met, and authorizes the president and board to grant the degrees thus achieved.

Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of tenure, and dismissal. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues; in such competence it is implicit that responsibility exists for both adverse and favorable judgments. Likewise there is the more general competence of experienced faculty personnel committees having a broader charge. Determinations in these matters should first be by faculty action through established procedures, reviewed by the chief academic officers with the concurrence of the board. The governing board and president should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.

The faculty should actively participate in the determination of policies and procedures governing salary increases.

The chairman or head of a department, who serves as the chief representative of his department within an institution, should be selected either by departmental election or by appointment following consultation with members of the department and of related departments; appointments should normally be in conformity with department members' judgment. The chairman or department head should not have tenure in his office; his tenure as a faculty member is a matter of separate right. He should serve for a stated term but without prejudice to re-election or to reappointment by procedures which involve appropriate faculty consultation. Board, administration, and faculty should all bear in mind that the department chairman has a special obligation to build a department strong in scholarship and teaching capacity.

Agencies for faculty participation in the government of the college or university should be established at each level where faculty responsibility is present. An agency should exist for the presentation of the views of the whole faculty. The structure and procedures for faculty participation should be designed, approved and established by joint action of the components of the institution. Faculty representatives should be selected by the faculty according to procedures determined by the faculty.

The agencies may consist of meetings of all faculty members of a department, school, college, division or university system, or may take the form of faculty-elected executive committees in departments and schools and a faculty-elected senate or council for larger divisions or the institution as a whole

Among the means of communication among the faculty, administration, and governing board now in use are: (1) circulation of memoranda and reports by board committees, the administration and faculty committees. (2) joint ad hoc committees, (3) standing liaison committees, (4) membership of faculty members on administrative bodies, and (5) membership of faculty members on governing boards. Whatever the channels of communication, they should be clearly understood and observed.

On Student Status

When students in American colleges and universities desire to participate responsibly in the government of the institution they attend, their wish should be recognized as a claim to opportunity both for educational experience and for involvement in the affairs of their college or university. Ways should be found to permit significant student participation within the limits of attainable effectiveness. The obstacles to such participation are large and should not be minimized; inexperience, untested capacity, a transitory status which means that present action does not carry with it subsequent responsibility, and the inescapable fact that the other components of the institution are in a position of judgment over the students. It is important to recognize that student needs are strongly related to educational experience, both formal and informal. Students expect, and have a right to expect, that the educational process will be structured, that they will be stimulated by it to become independent adults, and that they will have effectively transmitted to them the cultural heritage of the larger society. If institutional support is to have its fullest possible meaning it should incorporate the strength, freshness of view and idealism of the student body.

The respect of students for their college or university can be enhanced if they are given at least these opportunities: (1) to be listened to in the classroom without fear of institutional reprisal for the substance of their views, (2) freedom to discuss questions of institutional policy and operation, (3) the right to academic due process when charged with serious violations of institutional regulations, and (4) the same right to hear speakers of their own choice as is enjoyed by other components of the institution.

Approved by the CSULB Academic Senate February 10, 1967.

AAUP Committee A Statement on Extramural Utterances

E.

(The Statement which follows was approved by the Association's Committee A on Academic Freedom and Tenure on October 29, 1964. Its purpose is to clarify those sections of the 1940 **Statement of Principles on Academic Freedom and Tenure** relating to the faculty member's exercise of his freedom of speech as a citizen. The **Statement** emphasizes the essential considerations and procedures when a faculty member's utterances raise grave doubts concerning his fitness for his position.)

The 1940 **Statement of Principles** asserts the faculty member's right to speak or write, as a citizen, free from institutional censorship or discipline. At the same time, it calls attention to the faculty member's special obligations arising from his position in the community: to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to make every effort to indicate that he is not an institutional spokesman. An interpretation of the 1940 **Statement,** agreed to at a conference of the AAC and the AAUP held on November 8, 1940, states that an administration may file charges in accordance with procedures outlined in the **Statement** if it feels that a faculty member has failed to observe the above admonitions and believes that his extramural utterances raise grave doubts concerning his fitness for his position.

In cases involving such charges, it is essential that the hearing should be conducted by an appropriate — preferably elected — faculty committee, as provided in Section 4 of the 1958 **Statement on Procedural Standards in Faculty Dismissal Proceedings.**[1] The controlling principle is that a faculty member's expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member's unfitness for his position. Extramural utterances rarely bear upon the faculty member's fitness for his position. Moreover, a final decision should take into account the faculty member's entire record as a teacher and scholar. In the absence of weighty evidence of unfitness, the administration should not prefer charges; and if it is not clearly proved in the hearing that the faculty member is unfit for his position, the faculty committee should make a finding in favor of the faculty member concerned.

Committee A asserts that it will view with particular gravity an administrative or board reversal of a favorable faculty committee hearing judgment in a case involving extramural utterances. In the words of the 1940 **Statement of Principles,** "the administration should remember that teachers are citizens and should be accorded the freedom of citizens." In a democratic society freedom of speech is an indispensable right of the citizen. Committee A will vigorously uphold that right.

[1]Section 4 provides:
The committee of faculty members to conduct the hearing and reach a decision should either be an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chairman.

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